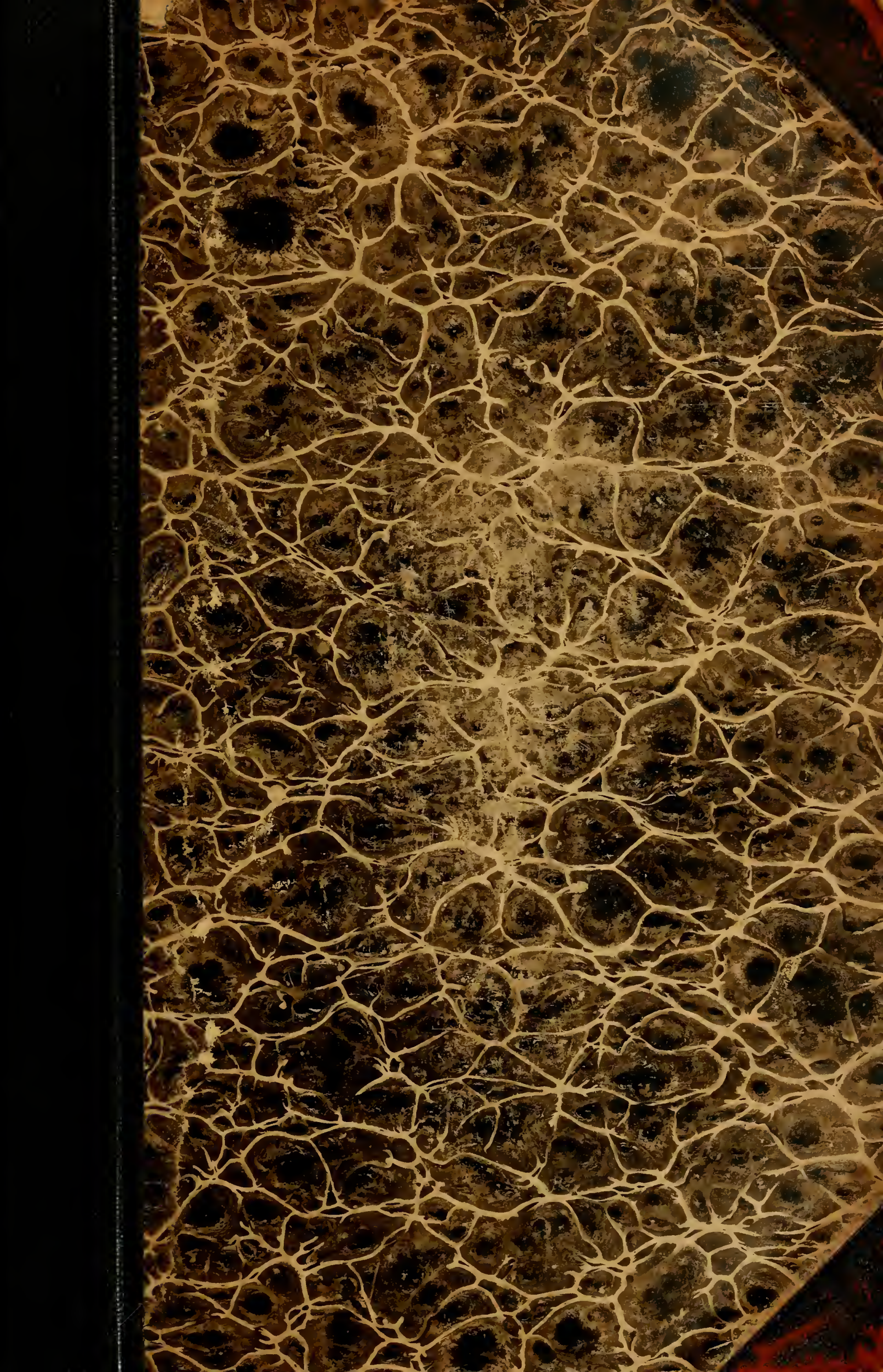
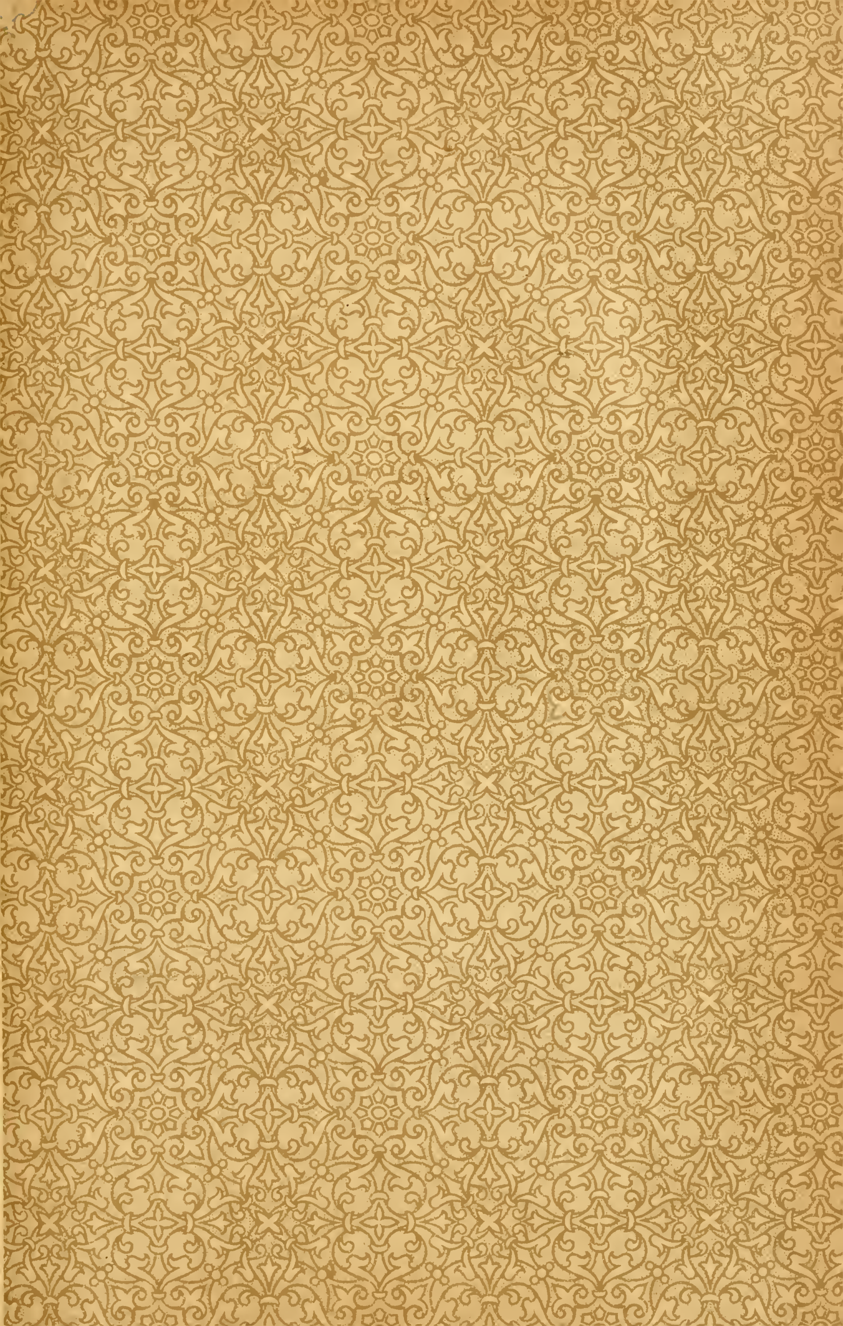



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Die Unruhen in der südafrikanischen Republik 1895/96.

Die Unruhen in der südafrikanischen Republik im Dezember 1895 und Januar 1896.

Nr. 10800*). **DEUTSCHES REICH.** — Der Staatssekretär des Auswärtigen an den Botschafter in London. Unterredung mit dem englischen Botschafter über die südafrikanische Politik Deutschlands und Englands.

Berlin, den 1. Februar 1895.

Nr. 10800. Deutsches Reich. 1. Febr. 1895.

Euerer Excellenz beehre ich mich von einer Unterredung Kenntniss zu geben, die ich heute mit dem englischen Botschafter gehabt habe. Sir Edward Malet gab mir von einem an ihn gerichteten Privatschreiben Lord Kimberleys Kenntniss, welches anknüpfend an den von dem Präsidenten Krüger auf Seine Majestät den Kaiser am 27. v. M. ausgebrachten Trinkspruch einige Bemerkungen über die Haltung Deutschlands gegenüber der südafrikanischen Republik enthielt. || Ich bemerkte dem Botschafter, wenn Lord Kimberley glaube, es werde durch die Haltung Deutschlands ein der internationalen Stellung Transvaals nicht entsprechender Geist in jenem Lande genährt, so habe er die Verpflichtung, Thatsachen anzugeben, um seine Annahme zu begründen. Erachte etwa Lord Kimberley den Trinkspruch des Präsidenten Krüger auf Seine Majestät den Kaiser als einen Ausdruck jenes Geistes und als bedenklich für die englischen Interessen? || Unsere Politik gehe einfach dahin, diejenigen materiellen Interessen gegen jeden Eingriff zu schützen, welche sich Deutschland durch Erbauung von Bahnen und die Anknüpfung von Handelsbeziehungen mit Transvaal geschaffen habe. Diese Interessen geböten die Aufrechterhaltung Transvaals als selbständigen Staates nach Massgabe des Vertrages von 1884 und die Sicherung des status quo bezüglich der Bahnen und des Hafens in der Delagoa-Bai. Damit sei der Ausgangspunkt und der Endpunkt unserer Politik in jenen Gegenden gekennzeichnet. Wenn Lord Kimberley ebenfalls die Erhaltung des status quo anstrebe, warum gebiete man Denjenigen nicht Einhalt, die — unter recht unpassenden und unklugen Ausfällen gegen Deutschland — ganz offen in London das Programm

*) Die folgenden Aktenstücke bis Nr. 10821 sind entnommen den dem Reichstag am 12. Februar 1896 vorgelegten „Aktenstücken, betr. die südafrikanische Republik". Vgl. Nr. 7672, 7673, 8556. Red.

Nr. 10800. Deutsches Reich. 1. Febr. 1895.

einer Aufsaugung Transvaals durch die Kap-Kolonie proklamirten? Bevor man sich mit mehr oder minder versteckten Vorwürfen an die deutsche Regierung wende, möge man gewissen Bestrebungen entgegentreten, welche dem status quo zuwiderlaufen und welche allein die Ursache bilden, dass in Transvaal mehr und mehr die Stimmung um sich greife, welche Lord Kimberley beklage und auf deutsches Konto zu setzen geneigt sei. Sir Edward bedauerte jene Aeusserungen gegen Deutschland, glaubte aber in der jüngsten Rede des Dr. Jameson nicht die Absicht einer Annexion, sondern nur den Gedanken einer commercial federation der südafrikanischen Staaten finden zu sollen. Ich erwiderte, dass gerade der von Dr. Jameson entwickelte Gedanke, dass „Rhodesia" die „commercial union, amalgamation or federation of all the South African States" werden solle, unseren Interessen zuwiderlaufe, weil das, etwas kürzer ausgedrückt, politisch das Protektorat, wirthschaftlich das Handelsomnopol der Kap-Kolonie und den Ausschluss deutschen Handels bedeute. Wenn die englischen Kolonialfreunde in der Transvaalfrage empfindlich seien, so seien die unserigen es ebenfalls. Wolle Lord Kimberley die Erhaltung des status quo, so seien unsere Auffassungen durchaus identisch — ich würde es gar nicht für ausgeschlossen erachten, dass wir diese Uebereinstimmung schriftlich fixirten. Ich betonte noch besonders, dass die von Herrn Rhodes verkündete Politik der allmählichen Aufsaugung des Transvaalstaates durch die Kap-Kolonie und der Gründung einer commercial federation zur Beschleunigung dieses Prozesses wohl kaum als eine Politik der Erhaltung des status quo bezeichnet werden könne.

Marschall.

Nr. 10801. DEUTSCHES REICH. — Auszug aus einem Erlass an den Botschafter in London. Deutschland protestirt gegen die Aufsaugung Transvaals.

Berlin, den 15. Oktober 1895.

Nr. 10801. Deutsches Reich. 15. Okt. 1895.

Ich hatte gestern mit Sir Edward Malet eine längere Unterredung, welche die politischen Beziehungen Englands und Deutschlands im Allgemeinen zum Gegenstand hatte. Bezüglich Transvaals bemerkte ich dem Botschafter, es schiene mir ungerecht, für die wenig freundliche Gesinnung, die gegenwärtig in Transvaal gegen England herrsche, Deutschland verantwortlich zu machen; viel näher läge die Frage, ob nicht Handlungen von englischer Seite die Erbitterung der Boers hervorgerufen haben, z. B. die Annexion des südlichen Amatongalandes; auch seien dort gewisse Treibereien seitens der Chartered Company im Gange, welche allmählich alle Elemente in Südafrika, welche nicht unter Mr. Cecil Rhodes' Abhängigkeit gelangen wollten, durch gemeinsame Erbitterung zusammenführten. Wiederholt hätten wir der englischen Regierung mitgetheilt, dass das Endziel unserer Politik in Transvaal ausschliesslich die Erhaltung des status quo sei und wir bei dieser Politik durch gewichtige Interessen vornehmlich kommerzieller Natur geleitet würden. Wir

beabsichtigten nicht, an dem Verhältnisse des Transvaalsstaates, wie es durch den Vertrag vom Jahre 1884 mit England fixirt sei, zu rütteln; wir müssten es aber allerdings als eine schwere Verletzung unserer Interessen betrachten, wenn jener Staat die Selbständigkeit, die ihm in jenem Vertrage garantirt sei, verliere und zu einem Bestandtheil des grossen „Rhodesia" herabsinke . . .

Nr. 10801. Deutsches Reich. 15. Okt. 1895.

Marschall.

Nr. 10802. DEUTSCHES REICH. — Botschafter in London an das Auswärtige Amt. England will den status quo in Transvaal aufrecht erhalten.

London, den 25. Oktober 1895.

Telegramm. || Bei meiner Unterredung mit Lord Salisbury bemerkte der Premierminister unter Anderem, dass er selbst keineswegs die Transvaalfrage als einen „schwarzen Punkt" zwischen Deutschland und England ansehe. Zwar erachte er es als selbstverständlich, dass England an den ihm in Bezug auf Transvaal vertragsmässig zustehenden Rechten festhalten müsse; er begegne sich aber mit uns in dem Wunsch, dass in der südafrikanischen Republik der status quo aufrecht erhalten werde. Hatzfeldt.

Nr. 10802. Deutsches Reich. 25. Okt. 1895.

Nr. 10803. DEUTSCHES REICH. — Konsul in Pretoria an das Auswärtige Amt. Es werden Unruhen erwartet.

Pretoria, den 24. Dezember 1895.

Abgegangen den 24. Dezember 1895, 4 Uhr 5 Min Nachm.
Angekommen „ 25. „ „ 6 „ 25 „ Vorm.

Telegramm. || Aus Johannesburg hierher gelangte Nachrichten lassen befürchten, dass daselbst die englische Partei für die nächsten Tage Unruhen vorbereitet. Die Regierung trifft dagegen Massregeln. Herff.

Nr. 10803. Deutsches Reich. 24. Dez. 1895.

Nr. 10804. DEUTSCHES REICH. — Staatssekretär des Auswärtigen an den Botschafter in London. Unruhen in Südafrika bevorstehend.

Berlin, den 28. Dezember 1895.

Telegramm. || Ich habe heute dem englischen Botschafter den Inhalt eines von dem Konsul von Herff in Pretoria hierher gerichteten Telegramms mitgetheilt, wonach in Johannesburg durch die englische Partei Unruhen vorbereitet werden und dagegen die Regierung des Transvaalstaates Massregeln trifft. Im Anschluss hieran habe ich Sir Frank Lascelles auf die möglichen Folgen eines blutigen Zusammenstosses hingewiesen und wie bei früheren Anlässen betont, dass uns für die Erhaltung der Unabhängigkeit des Transvaalstaates, wie sie im Vertrage von 1884 festgesetzt sei, den leitenden Gesichtspunkt

Nr. 10804. Deutsches Reich. 28. Dez. 1895.

Nr. 10804. Deutsches Reich. 28. Dez. 1895.

bilde und wir in einer gewaltsamen Aenderung des bestehenden Zustandes nach der von gewisser Seite angestrebten Richtung eine schwere Beeinträchtigung unserer Interessen erblicken müssten. Marschall.

Nr. 10805. DEUTSCHES REICH. — Staatssekretär des Auswärtigen an den Konsul in Pretoria. Antwort auf Nr. 10803.

Berlin, den 30. Dezember 1895.

Nr. 10805. Deutsches Reich. 30. Dez. 1895.

Telegramm. ‖ Bei Mittheilung Ihres Telegramms vom 24. Dezember habe ich der englischen Regierung gegenüber hervorgehoben, dass für uns die Erhaltung der Unabhängigkeit des Transvaalstaates, wie sie im Vertrage von 1884 festgesetzt sei, den leitenden Gesichtspunkt bilde und wir in einer Störung dieses Zustandes nach der von gewisser Seite angestrebten Richtung eine schwere Beeinträchtigung unserer Interessen erblicken müssten. ‖ Schärfen Sie dortiger Regierung nachdrücklich ein, dass sie jede Provokation strengstens vermeiden müsse, wenn sie sich deutsches Wohlwollen erhalten wolle.

Marschall.

Nr. 10806. DEUTSCHES REICH. — Konsul in Pretoria an das Auswärtige Amt. Bericht über die englischen Umtriebe.

Pretoria, den 30. Dezember 1895.
Abgegangen den 30. Dezember 1895, 8 Uhr 5 Min. Vorm.
Angekommen „ 31. „ „ 7 „ 12 „ „

Nr. 10806. Deutsches Reich. 30. Dez. 1895.

Telegramm. ‖ Die englische Partei der sogenannten National-Union in Johannesburg hat am 26. Dezember ein Manifest veröffentlicht, worin Reformen von der Transvaal-Regierung und Ausdehnung des Wahlrechts gefordert werden. Zur Beschlussfassung über die zu unternehmenden Schritte ist von den Aufständischen eine Versammlung auf den 6. Januar einberufen worden. Das Manifest wird allgemein als Drohung gegen Regierung mit Gewaltmassregeln aufgefasst und ist nach zuverlässigen Nachrichten durch Mr. Rhodes angeregt und durch seine Freunde unterstützt, um den Boerenstaat dem kapländischen Einfluss zu unterwerfen, gleichzeitig auch einen Börsencoup auszuführen. Die englische Partei in Johannesburg hält Waffen und Mannschaften bereit, hat auch Mehl und Getreide aufgekauft und mit Schliessung der Minen begonnen, um Unzufriedenheit zu erregen. In Johannesburg jagen sich die tollsten Gerüchte; man glaubt, dass sich mehrere hundert entlassene Betschuana-Polizisten in der Stadt aufhalten. Es herrscht grosse Aufregung. Frauen und Kinder verlassen in grosser Anzahl die Stadt. Die Deutschen und die überwiegende Anzahl Angehöriger anderer Staaten verurtheilen das revolutionäre Vorgehen der englischen Partei auf das entschiedenste und haben ihrerseits eine Protestversammlung auf morgen in Johannesburg einberufen. Die Transvaal-Regierung beabsichtigt, der Bewegung ihren Lauf so lange zu lassen, als diese nicht in

Gewaltthätigkeiten ausartet, ist aber ernstlich entschlossen und, wie ich glaube, auch gefasst, einen etwaigen Aufstand mit Waffengewalt zu unterdrücken; deshalb lehnt der Präsident jeden Kompromiss mit englischer Partei ab. Noch ist die Hoffnung vorhanden, dass der Ausbruch von offenen Unruhen verhindert oder noch eingeschränkt werden kann, wenn eine Einmischung kapländischerseits fern gehalten wird. Ich habe bei der Transvaal-Regierung die erforderlichen Schritte gethan, um auf alle Fälle den nothwendigen Schutz für Leben und Eigenthum der Deutschen in Johannesburg zu erwirken. Herff.

Nr. 10806. Deutsches Reich. 30. Dez. 1895.

Nr. 10807. DEUTSCHES REICH. — Die Deutschen Pretorias an den deutschen Kaiser.

Pretoria, den 30. Dezember 1895.
Abgegangen den 30. Dezember 1895, 9 Uhr 30 Min. Nachm.
Angekommen „ 31. „ 1895, 7 „ 20 „ Vorm.

Telegramm. || Die Deutschen Pretorias bitten Euere Majestät einmüthig und ehrfurchtsvoll um sofortige Intervention zur Verhütung unvermeidlichen Elends und Blutvergiessens.

Nr. 10807. Deutsches Reich. 30. Dez. 1895.

Nr. 10808. DEUTSCHES REICH. — Staatssekretär des Auswärtigen an den kommandirenden Admiral. Es soll ein zweiter Kreuzer nach Lourenço Marques gesandt werden.

Berlin, den 31. Dezember 1895.

Euerer Excellenz werden die beunruhigenden Nachrichten nicht entgangen sein, welche aus Johannesburg (Transvaal) durch die Presse verbreitet worden sind und nach Meldungen des Kaiserlichen Konsuls in Pretoria sich als begründet erwiesen haben. Danach scheint die sehr starke englische Partei in Johannesburg Unruhen vorzubereiten, um eine gewaltsame Verfassungsänderung herbeizuführen. || Zum wirksameren Schutz unserer Interessen halte ich es für nothwendig, dass unverzüglich ein zweiter Kreuzer nach Lourenço Marques entsendet werde. Zur Zeit befindet sich in Delagoa-Bay S. M. Kreuzer „Seeadler“, während S. M. Kreuzer „Kondor“ inzwischen wieder in dem ostafrikanischen Schutzgebiet oder in den Sansibar-Gewässern eingetroffen sein wird. Das ostafrikanische Schutzgebiet gänzlich von einem Kriegsschiff zu entblössen, würde ich um so mehr für bedenklich erachten müssen, als der Süden erst vor wenigen Tagen durch die Unterwerfung des Häuptlings Matchemba einigermassen beruhigt zu sein scheint. Es müsste daher ein anderes Schiff als der „Kondor“ nach der Delagoa-Bay geschickt werden*). || Im Hinblick auf die Wichtigkeit der in Frage stehenden Interessen würde ich dankbar sein, wenn

Nr. 10808. Deutsches Reich. 31. Dez. 1895.

*) In Ermangelung eines anderen Kreuzers wurde nach Eintreffen des Telegramms Nr. 10809 S. M. Kreuzer „Kondor“ nach Delagoa-Bay entsandt.

Nr. 10808. Deutsches Reich. 31. Dez. 1895.

Euere Excellenz wegen Entsendung eines zweiten Kreuzers nach Lourenço Marques das Erforderliche veranlassen und mich von den gefassten Entschliessungen gefälligst benachrichtigen wollten. Marschall.

Nr. 10809. DEUTSCHES REICH. — Konsul in Pretoria an das Auswärtige Amt. Friedensbruch der Chartered Company.

Pretoria, den 30. Dezember 1895.
Abgegangen den 30. Dezember 1895, 7 Uhr 30 Min. Nachm.
Angekommen „ 31. „ „ 11 „ 55 „ Vorm.

Nr. 10809. Deutsches Reich. 30. Dec. 1895.

Soeben veröffentlicht die Regierung der südafrikanischen Republik eine Proklamation, worin sie ohne Verzug alle Beschwerden der Johannesburger Bevölkerung dem Volksrath vorzulegen verspricht. Kurze Zeit nach der Veröffentlichung erhielt die Regierung telegraphisch die amtliche Nachricht, dass 800 Mann der Chartered Company mit 6 Maximgeschützen und Kanonen anderen Kalibers bewaffnet nach Johannesburg ziehen und bereits in der Nähe der Stadt Rustenburg angekommen sind. Der Staatspräsident Krüger hat sogleich den Befehl ertheilt, die Bürger aufzurufen und das weitere Vordringen der feindlichen Truppen mit Waffengewalt zu verhindern. Hiernach erscheint der Kampf unvermeidlich. Der Präsident Krüger hält das Vorgehen der Chartered Company für einen Bruch des Londoner Vertrages. Ich bitte, mir die Ermächtigung zu ertheilen, zum Schutze von Leben und Eigenthum der Deutschen, die durch den Einfall der Chartered Company ernsthaft gefährdet sind, das Landungskorps des „Seeadlers“ zu requiriren. Herff.

Nr. 10810. DEUTSCHES REICH. — Staatssekretär des Auswärtigen an den Consul in Pretoria. Ermächtigung, ein Landungscorps zu requiriren.

Berlin, den 31. Dezember 1895.

Nr. 10810. Deutsches Reich. 1. Dez. 1895.

Telegramm. ‖ Euere Hochwohlgeboren wollen im Nothfalle, jedoch nach Rücksprache mit Präsident Krüger, ausschliesslich zum Schutz des Konsulats, des Lebens und Eigenthums der Reichsangehörigen das Landungskorps des „Seeadler“, so lange die Unruhen andauern, requiriren. Das Kommando S. M. S. „Seeadler“ ist durch den Herrn kommandirenden Admiral verständigt. Nachdem Sie die Requisition gestellt haben, wollen Sie sofort telegraphisch Meldung hierher erstatten. Marschall.

Nr. 10811. DEUTSCHES REICH. — Staatssekretär des Auswärtigen an den Botschafter in London. Wie will sich die britische Regierung zu dem Friedensbruche verhalten?

Berlin, den 31. Dezember 1895.

Nr. 10811. Deutsches Reich. 31. Dez. 1895.

Telegramm. ‖ Nachdem ich Seiner Majestät über die gegenwärtige Lage in Transvaal Vortrag gehalten habe, ersuche ich Euere Excellenz, an amt-

licher Stelle in London sofort zu fragen, durch welche Mittel die britische Regierung den in Folge der völkerrechtswidrigen Grenzüberschreitung des Transvaalstaates durch die Truppen der Chartered Company entstandenen Gefahren zu begegnen beabsichtigt. Marschall.

Nr. 10811. Deutsches Reich. 31. Dez. 1895.

Nr. 10812. DEUTSCHES REICH. — Staatssekretär des Auswärtigen an den Gesandten in Lissabon. Soll die Genehmigung der portugiesischen Regierung zu einer Landung in Lourenço Marques nachsuchen.

Berlin, den 31. Dezember 1895.

Nr. 10812. Deutsches Reich. 31. Dez. 1895.

Telegramm. || Der Kaiserliche Konsul in Pretoria hat zum Schutz gegen die Aufrührer, welche die dortigen Reichsangehörigen bedrohen, die Entsendung eines kleinen Detachements des vor Lourenço Marques liegenden „Seeadler" erbeten. || Euere Hochwohlgeboren ersuche ich, die dortige Regierung sofort hiervon in Kenntniss zu setzen und dabei zu bemerken, dass wir bei dieser ausschliesslich einem humanen Zwecke dienenden Massregel auf die Genehmigung der portugiesischen Regierung um so mehr rechneten, als uns ein anderer Weg, für den Schutz unserer bedrohten Reichsangehörigen zu sorgen, nicht zur Verfügung ist. || Das Detachement des „Seeadler" wird höchstens 50 Mann betragen können, da die ganze Besatzung aus nur 154 Mann besteht. Es bedarf keiner Ausführung, dass mit einer so kleinen Anzahl Mannschaft andere als lediglich Schutzzwecke zu verfolgen unmöglich ist. Telegraphischem Bericht sehe ich entgegen. Marschall.

Nr. 10813. DEUTSCHES REICH. — Staatssekretär des Auswärtigen an den Botschafter in London. Unterredung mit dem englischen Botschafter.

Berlin, den 1. Januar 1896.

Nr. 10813. Deutsches Reich. 1. Jan. 1896.

Euere Excellenz beehre ich mich ergebenst zu benachrichtigen, dass mir der englische Botschafter heute Mittag in Folge einer Instruktion Lord Salisbury's Folgendes mitgetheilt hat: || Während im Allgemeinen Mr. Chamberlain mit meinen Bemerkungen *) übereinstimme, wende er seine grössten Anstrengungen an, um durch Schriftwechsel sowohl mit Sir Hercules Robinson wie mit Präsident Krüger Gewaltthätigkeiten abzuwenden und Ruhe wiederherzustellen. Der Staatssekretär für die Kolonien sei ein starker Gegner einer Politik der Gewalt und habe gute Hoffnung, dass ihr Ausbruch abgewendet werden könne. Er erkenne voll an, dass ein solcher Ausbruch für die verschiedenen europäischen Interessen in Südafrika sehr schädlich sein würde. || Ich habe Sir Frank erwidert, diese Mittheilung erscheine zu meinem Bedauern durch die Ereignisse bereits überholt, indem die „violence", welche Mr. Chamberlain zu vermeiden wünsche, in dem Augenblicke bereits eingetreten sei, wo

*) Vgl. Nr. 10804.

Nr. 10813. Deutsches Reich. 1. Jan. 1896.

die Truppen der Chartered Company bewaffnet das Gebiet des Transvaalstaates beschritten hätten. Ich vermöchte nicht einzusehen, in welcher anderen Weise die Regierung des Transvaalstaates auf diesen Friedensbruch antworten könnte, als mit gewaltsamer Vertreibung der Friedensstörer aus dem Transvaalgebiete. || Nach Eingang des gestrigen Telegramms aus Pretoria — welches übrigens 17 Stunden unterwegs gewesen, vermuthlich also an irgend einer Stelle zurückgehalten worden sei — hätte ich, nach Einholung der Befehle Seiner Majestät, Euere Excellenz ersucht, an die englische Regierung die amtliche Anfrage zu stellen, welche Schritte sie zu thun gesonnen sei, um den durch den Einbruch bewaffneter Banden von dem englischen Protektoratsgebiete in das Territorium des Transvaalstaates geschaffenen völkerrechts- und vertragswidrigen Zustand zu beseitigen? Zu meinem Bedauern ergebe sich ein Theil der englischen Presse bereits in der Drohung, „dass England keine Intervention in die Angelegenheit, von welcher Seite sie auch kommen möge, dulden werde". Also: England dulde keine Intervention; aber die Grossmächte, welche Interessen im Transvaal haben, sollen ohne Einspruch zu erheben die völkerrechtswidrige Intervention der Chartered Company dulden, die dort gar nichts zu suchen habe!

Marschall.

Nr. 10814. DEUTSCHES REICH. — Botschafter in London an das Auswärtige Amt. Die englische Regierung hat Jameson den Rückzug befohlen.

London, den 1. Januar 1896.

Abgegangen den 1. Januar 1896, — Uhr — Min. Nachm.
Angekommen „ 1. „ „ 10 „ 6 „ „

Nr. 10814. Deutsches Reich. 1. Jan. 1896.

Telegramm. || Bei Lord Salisbury habe ich soeben die Angelegenheit zur Sprache gebracht. Derselbe theilte mir bereitwillig mit, dass die englische Regierung, welche die Grenzverletzung missbillige, sofort den Gouverneur der Kap-Kolonie mit entsprechenden Instruktionen versehen habe. Auf Grund derselben habe Sir Hercules Robinson schon vorgestern telegraphisch den englischen Residenten in Betschuanaland angewiesen, durch besonderen Boten auf zwei verschiedenen Wegen dem Dr. Jameson mit grösster Beschleunigung den Befehl der englischen Regierung zur sofortigen Rückkehr nachzuschicken. Einige englische Offiziere, die sich der vorgerückten Kolonne, wie man hier glaubt, angeschlossen haben, sollten gleichzeitig denselben Befehl mit dem Hinweis erhalten, dass sie sich strengsten Strafen durch Nichtbefolgung aussetzen würden. || Der Premierminister fügte hinzu, er und der Kolonialminister seien keinen Augenblick zweifelhaft, dass die von London ergangenen Befehle auch pünktlich befolgt werden würden. || Ich habe den Eindruck aus dieser Unterhaltung, dass der englischen Regierung das Vorgehen der Chartered Company in jeder Hinsicht unerwünscht ist und dass sie daher keine Massregel unterlassen wird, um in diesem Fall ihre Anordnungen zur Geltung zu bringen.

Hatzfeld.

Nr. 10815. **DEUTSCHES REICH.** — Konsul in Pretoria an das Auswärtige Amt. Meldet einen nahe bevorstehenden Zusammenstoss.

Pretoria, den 31. Dezember 1895.
Abgegangen den 31. Dezember 1895, 6 Uhr 45 Min. Nachm.
Angekommen „ 1. Januar 1896, 2 „ 32 „ „

Nr. 10815. Deutsches Reich. 31. Dez. 1895.

Telegramm. || Sir Hercules Robinson, High Commissioner der Kapstadt, hat soeben die Aktion der Chartered Company formell desavouirt und den bewaffneten Truppen derselben Weisung ertheilt, sofort zurückzugehen. Diese Weisung ist jedoch von Dr. Jameson, dem Führer der Truppen, unbeachtet geblieben, vielmehr haben weitere 300 Mann die Grenze überschritten. Morgen wird der Zusammenstoss zwischen Boeren und den Truppen der Chartered Company erwartet. Präsident Krüger bittet mich, zu berichten, wie er Alles gethan habe, um jedwede Provokation zu vermeiden; aber seitdem fremde Truppen aus Betchuanaland in das Land als Friedensbrecher gedrungen seien, sei seine Regierung zu ihrem Bedauern verpflichtet, die Freibeuter mit Gewalt zu vertreiben. In der That hat die Transvaal-Regierung das Aeusserste an Entgegenkommen geleistet, was auch von britischen Unterthanen im Lande rückhaltlos anerkannt wird.

Herff.

Nr. 10816. **DEUTSCHES REICH.** — Derselbe an dasselbe. England will vermitteln.

Pretoria, den 1. Januar 1896.
Abgegangen den 1. Januar 1896, 8 Uhr 25 Min. Nachm.
Angekommen „ 2. „ „ 4 „ 24 „ „

Nr. 10816. Deutsches Reich. 1. Jan. 1896.

Telegramm. || Der Zusammenstoss zwischen den Boeren und den Truppen der Chartered Company ist erfolgt, der Ausgang aber noch unentschieden. In Johannesburg hat die Revolution bisher noch keinen gewaltthätigen Charakter angenommen. Mr. Chamberlain hat behufs Vermeidung weiteren Blutvergiessens die englische Vermittelung angeboten, ebenso Sir H. Robinson, der High Commissioner, welcher hierher kommt.

Herff.

Nr. 10817. **DEUTSCHES REICH.** — Botschafter in London an das Auswärtige Amt. Niederlage Jamesons.

London, den 2. Januar 1896.
Abgegangen den 2. Januar 1896, 7 Uhr 20 Min. Nachm.
Angekommen „ 2. „ „ 9 „ 29 „ „

Nr. 10817. Deutsches Reich. 2. Jan. 1896.

Telegramm. || Ich erfahre von vertrauenswürdiger Seite, dass Dr. Jamesons Korps von den Boeren eingeschlossen worden ist und sich ergeben hat, ferner, dass der High Commissioner Sir H. Robinson in Pretoria eintreffen soll, um über die Regelung der Angelegenheit mit dem Präsidenten Krüger sich zu verständigen.

Hatzfeldt.

Nr. 10818. DEUTSCHES REICH. — Konsul in Pretoria an das Auswärtige Amt. Beendigung des Aufstandes.

Pretoria, den 1. Januar 1896.
Abgegangen den 1. Januar 1896, 1 Uhr 35 Min. Nachm.
Angekommen „ 2. „ „ 11 „ 5 „ „

Nr. 10818. Deutsches Reich. 1. Jan. 1896.

Telegramm. || Die Schlacht bei Krügersdorf ist siegreich für die Boeren entschieden, die Truppen der Chartered Company haben die weisse Flagge gehisst. Der Präsident Krüger hat mir, dem französischen uad holländischen Konsul erklärt, dass seine Regierung von Sir Hercules Robinson, welcher morgen hier eintrifft, nur verlangen werde, dass er die Aufruhrpartei zur Niederlegung der Waffen veranlasst. Gefahr für Deutsche beseitigt. Herff.

Nr. 10819. DEUTSCHES REICH. — Der Gesandte in Lissabon an das Auswärtige Amt. Gefahr für die Fremden beseitigt.

Lissabon, den 3. Januar 1896.

Nr. 10819. Deutsches Reich. 3. Jan. 1896.

Telegramm. || Als ich heute von dem Minister der auswärtigen Angelegenheiten eine Antwort erbat, las mir derselbe ein von meinem englischen Kollegen heute mitgetheiltes Telegramm Lord Salisbury's vor, worin die Besiegung und Gefangennahme Dr. Jamesons mit seinen gesammten Truppen durch die Boeren gemeldet wird. Zugleich zeigte er mir ein von dem portugiesischen Konsul in Pretoria hierher gerichtetes Telegramm, wonach in Folge dieses Sieges für die Fremden alle Gefahr für beseitigt erklärt wird.

Derenthall.

Nr. 10820. DEUTSCHES REICH. — Botschafter in London an das Auswärtige Amt. Unterredung mit Salisbury.

London, den 3. Januar 1896.
Abgegangen den 3. Januar 1896, 6 Uhr 49 Min. Nachm.
Angekommen „ „ „ „ 8 „ 46 „ „

Nr. 10820. Deutsches Reich. 3. Jan. 1896.

Telegramm. || Bei meiner heutigen Unterredung sprach Lord Salisbury die Hoffnung aus, dass nunmehr die Transvaalfrage als beendet angesehen werden könne. Ich erwiderte, dass meines Erachtens die englische Regierung gut thun würde, auf die englischen Elemente in Johannesburg ihren etwaigen Einfluss anzuwenden, um sie von nachträglichen Aufstandsversuchen abzuhalten, die geeignet sein würden, eine neue Krisis herbeizuführen. Hatzfeldt.

Nr. 10821. DEUTSCHES REICH. — Staatssekretär des Auswärtigen an den Botschafter in London. Unterredung mit dem englischen Botschafter über das Telegramm des Kaisers.

Berlin, den 6. Januar 1896.

Nr. 10821. Deutsches Reich. 6. Jan. 1896.

Telegramm. || Sir Frank Lascelles, mit dem ich heute über den Eindruck sprach, welchen das Telegramm Seiner Majestät an den Präsidenten

Krüger auf die öffentliche Meinung in England ausgeübt habe, bemerkte ich unter Anderem, dass ich gegen die Auffassung der englischen Presse Verwahrung einlegen müsste, wonach jenes Telegramm eine Feindseligkeit gegen England und einen Eingriff in englische Rechte enthalten solle. Der Deutsche sei in Rechtsfragen sehr empfindlich und nicht gewohnt oder gewillt, fremde Rechte anzutasten; dafür verlange er aber, dass auch seine eigenen Rechte geachtet würden. Eine Feindseligkeit gegen England könne unmöglich darin gefunden werden, dass der Deutsche Kaiser das Oberhaupt eines befreundeten Staates zum Siege über bewaffnete Schaaren beglückwünsche, die in sein Land völkerrechtswidrig eingedrungen und von der englischen Regierung selbst für ausserhalb des Gesetzes stehend erklärt worden seien. Marschall.

Nr. 10821. Deutsches Reich. 6. Jan. 1896.

Nr. 10822. DEUTSCHES REICH. — Der Kaiser an den Präsidenten der südafrikanischen Republik.

Berlin, 3. Januar 1896.

Telegramm. || Ich spreche Ihnen meinen aufrichtigen Glückwunsch aus, dass es Ihnen, ohne an die Hülfe befreundeter Mächte zu appelliren, mit Ihrem Volke gelungen ist, in eigener Thatkraft gegenüber den bewaffneten Scharen, welche als Friedensstörer in Ihr Land eingebrochen sind, den Frieden wiederherzustellen und die Unabhängigkeit des Landes gegen Angriffe von aussen zu wahren. Wilhelm I. R.

Nr. 10822. Deutsches Reich. 3. Jan. 1896.

Nr. 10823. SÜDAFRIKANISCHE REPUBLIK. — Präsident Krüger an den Deutschen Kaiser.

5. Januar 1896.

Telegramm. || Ich bezeuge Ew. Majestät meinen sehr innigen und tiefgefühlten Dank wegen Ew. Majestät aufrichtigen Glückwunsches. Mit Gottes Hülfe hoffen wir weiter alles Mögliche zu thun für die Handhabung der theuer bezahlten Unabhängigkeit und die Beständigkeit unserer geliebten Republik.

Präsident Krüger.

Nr. 10823. Südafrikan. Republik. 5. Jan. 1896.

Nr. 10824*). GROSSBRITANNIEN. — Der Kolonialminister an die Regierung in Kapstadt. Wünscht eine Statistik der Bewohner der südafrikanischen Republik.

Downing Street, August 28, 1894.

Sir, || In the House of Commons on the 21st instant, the question of which a copy is enclosed was put, and, in concluding an answer based upon the best available statistics, Mr. Buxton promised to obtain more accurate information on the subject than was to be obtained in this country. || I have, therefore, the honour to request you to obtain from the British Resident at Pretoria as accurate information as possible on the following heads:— ||

Nr. 10824. Grossbritannien. 28. Aug. 1894.

*) Die beiden folgenden Aktenstücke sind dem Blaubuch South African Republic 12. February 1895 (7633) entnommen. Red.

Nr. 10824. Grossbritannien. 28. Aug. 1894.

1. The number of burghers in the South African Republic who are native Boers. || 2. The total number of foreigners resident in the Republic (excluding British subjects). || 3. The total number of British subjects. || 4. The total number of (*a*) foreigners (*b*) British subjects, who have acquired the burgher-right under the laws in that behalf. I have, &c.

(Signed) Ripon.

Beilage.

(August, 21, 1894.)

Sir Ellis Ashmead-Bartlett.—To ask the Under Secretary of State for the Colonies whether he can inform the House how many British subjects are at present residing in the Transvaal. || And how many foreign residents, other than British, there are in the Transvaal not being Boer citizens.

Nr. 10825. GROSSBRITANNIEN. — Der britische Agent in Pretoria an die Regierung in Kapstadt. Uebersendet die verlangte Statistik.

(Extract.) Pretoria, October 4, 1894.

Nr. 10825. Grossbritannien. 4. Oct. 1894.

Sir, || I have the honour to acknowledge the receipt of your Excellency's Despatch, No. 49, of the 21st ultimo, with copy of a despatch from the Secretary of State, dated 28th August last, desiring information respecting the population of the South African Republic, classified as therein indicated. || I have taken great trouble in gathering all the information I could obtain, but even with this, the most I can do is to give an approximate estimate of the different nationalities in this country. The only census in existence is the one of 1890, which is admitted officially as well as unofficially to be imperfect and unreliable in every respect, but that being the only data to go upon, I am bound to take it as a basis to work out an estimate, and I enclose an abstract to show the method I adopted in arriving at the conclusions, which I beg to submit for his Lordship's information. Old residents are of opinion, that the total numbers given under the heading "South African Republic" are far in excess of the actual population of original pioneers and their descendants; but in the absence of any other information to guide me, I am obliged to take the numbers as given for the purpose of analysing and summarising.

According to this Census, the total population was 119 128, and the total number properly belonging to the Republic 59 334, and the number from the Orange Free State 11 527; but these being so closely allied to the Transvaal, I will treat them as if they were Transvaalers, that is, as subjects of this Republic, and making a total of 70 861, leaving 48 267 for the aliens or foreigners of all nationalities resident in the Republic in 1890. But large additions having taken place since, I have to analyse the figures of at least two districts in order to bring the additions under the proper heading. The district of Heidelberg, for instance, according to the census, had a total

population of 22150; of this, 5 245 are given as belonging to or as subjects of the South African Republic, and 1 703 of Free State origin, together 6,948. Deduct this from the 22 150, leaves 15 202 for Cape Colonists and other classes of aliens in that district. But according to a census taken last year of Johannesburg or the Witwatersrand Gold Fields, situate in the Heidelberg district, the population of these fields was found to be over 40 000. Exclusive of the population of the district belonging to the Republic and the Orange Free State shown above, this would give an increase of 24 798 since 1890 to the aliens. Again, the town of Pretoria is given in the census as having a population of 5 050 which is now over 10 000, giving another increase of, say, 5000 to the aliens. The increases in these two centres alone therefore give a total of 29 798, say 29 800, which may safely be taken as foreigners. Add this number to the alien population of 48 267 (as given above) will make a total of 78 067 aliens resident in the South African Republic, to which may be added quite another 1000 who have settled at other gold mining centres since 1890, but being uncertain, I will leave them out, and in like manner I have not deducted from the number of Transvaalers quite 1000 souls who left last year for Damaraland and the Portuguese province on the West Coast. || With regard to British subjects, the Census gives them as follows:—From Natal, 3977, the Cape Colony (of English and Dutch descent), 29 385, United Kingdom, 8980, and from Australia 167, together 42 509, but of the additional influx of 29 800 since 1890, at least 20 000 should be taken as British subjects, which would give an aggregate of 62 509 (say 62 500), this would leave the rest of the aliens 15 558, which I think above the actual number in proportion to the whole alien population. The different classes or nationalities may therefore be tabulated as follows:—Transvaalers and Orange Free Staters, 70 861; British subjects, 62 509; other foreigners, 15 558, these figures added up will give a grand total of 148 928, and agree with the Census total of 119 128 and my addition of 29 800 since 1890. It will be observed, that I have made no allowance for natural increase on either side. || The present number of registered voters, obtained from official sources, amounts to 18 126.

The field cornets having put down on their lists of burghers for military service every able-bodied man indiscriminately, before exemption was claimed by the foreigners, the number of burghers liable to serve cannot be given now, but I think if five per cent., be deducted from the voters' lists for men over 60, the remainder may be taken as the present burgher force. || There is no possible means of ascertaining the number of foreigners, distinguishing British subjects from others, who have registered as enfranchised burghers under the laws of this country. The first clerk in the Commandant General's office (where those lists are kept), however, informed me that the number of British subjects or other foreigners who registered since 1887 must be very small; how many there were before that date he cannot tell, but he thinks

Nr. 10825. Gross-britannien. 4. Oct. 1894.

the proportion is very insignificant. ‖ I have only dealt with the white population of the country, or those of European descent. As regards the Transvaalers, the males and females are about equal the foreigners about three males to two females, and I have further to remark that there are fully between 3000 and 4000 half-caste and other coloured people and Kafirs from the Cape Colony, and Asiatics in this country, who are also British subjects.

J. A. de Wet, Her Britannic Majesty's Agent.

Note.—I had to wait for the number of burghers after I finished my despatch, and find the 18 126 to be full fledged burghers, the number who can only vote for the Second Raad, 548, are probably all foreigners registered since 1890, and most likely from the Free State, Cape Colony, and a large proportion of Hollander and officials who were compelled to register themselves by the rules of the service. J. A. de W.

Census Report, 1890. Z. A. R.

Districts	South African Republic	Orange Free State	Natal	Cape Colony	Other South African States, &c.	United Kingdom	Germany	France	Russia	Italy	Holland	Belgium	Switzerland	Portugal	Other European Countries	America	Australia	Asia	Total	Totals as per Government Report	Difference
Bloemhof . .	1 258	1 137	9	1 073	18	44	28	1	5	1	14	—	—	—	26	4	—	—	3 618	3 618	—
Ermelo . . .	2 103	619	173	811	13	91	13	2	3	—	25	—	1	—	7	2	3	—	3 866	3 866	—
Heidelberg . .	5 245	1 703	651	7 495	15	5091	750	51	248	61	266	10	27	—	383	142	100	—	22 238	22 150	88
Lichtenburg .	2 503	622	12	1 208	16	31	15	1	1	—	2	—	—	—	3	3	—	—	4 417	4 417	—
Lydenburg . .	3 712	500	529	1 385	2	948	173	39	—	13	137	4	6	—	205	46	27	—	7 726	7 726	—
Marico . . .	3 199	384	42	1 048	22	148	44	1	18	—	12	1	—	1	11	2	2	—	4 935	4 935	—
Middelburg . .	4 997	559	150	1 415	1	77	34	3	7	—	29	1	—	1	32	5	1	—	7,312	7 315	3
Piet Retief . .	447	109	108	161	7	3	40	—	—	—	6	—	—	—	3	—	—	—	884	893	9
Potchefstroom .	8 702	2022	113	5 921	8	956	203	14	58	2	119	6	7	1	44	20	16	1	18 213	18 213	—
Pretoria . . .	7 600	814	341	3 494	19	985	243	32	10	18	603	4	6	—	401	34	10	—	14 614	14 614	—
Rustenburg . .	7 349	547	66	1 425	4	44	68	1	6	—	52	1	2	—	—	32	3	1	9 601	9 602	1
Standerton . .	3 174	814	201	1 055	3	105	17	2	1	—	19	2	—	—	2	1	2	1	5 399	5 399	—
Utrecht . . .	1 152	185	376	250	3	11	52	—	—	—	19	1	—	2	13	1	1	—	2 066	2 067	1
Vryheyd . . .	1 377	558	711	526	2	66	65	—	8	—	16	—	—	—	16	3	—	—	3 348	3 348	—
Wakkerstroom .	2 341	505	402	821	20	54	50	2	4	—	29	1	—	—	29	3	—	—	4 261	4 261	—
Waterberg . .	1 516	103	13	305	10	30	33	—	—	1	13	—	2	—	10	—	—	—	2 036	2 036	—
Zoutpansberg .	2 659	346	80	992	8	296	115	4	15	2	59	2	14	1	35	12	4	1	4 645	4 668	23
Totals	59 334	11 527	3977	29 385	171	8980	1943	153	384	98	1420	33	65	6	1252	281	167	4	119 179	119 128	51

Nr. 10826*). GROSSBRITANNIEN. — Auszug aus dem Agitations-Manifest der Transvaal National Union („Times" 28. Dezember 1895).

The Situation in the Transvaal.

Johannesburg, Dec. 26.

Nr. 10826. Gross-britannien. 26. Dez. 1895.

The manifesto which has been issued by Mr. Charles Leonard, Chairman of the Transvaal National Union, states that, in view of the momentous issue

*) Die folgenden Aktenstücke bis 10 914 entstammen dem Blaubuche South African Republic February 1896. 7933. Red.

to be faced in this country, a review of the position prior to the holding of a general meeting on January 6 is necessary. || The manifesto points out, that the objects of the Union are maintenance of the independence of the Republic, the securing of equal rights and the redress of grievances. To gain these objects a petition was signed last year by 13 000 persons, praying for the franchise. It was submitted to the Volksraad, but was received in that assembly with jeers. This year attempts have been made to support the so-called Progressive party in the Volksraad, but nothing has been obtained by it. A second petition signed by 38 000 persons, praying for the franchise, has also been rejected.

The manifesto continues: — || "We are the vast majority in this State. We own more than half the land and at least nine-tenths of the property. Yet in all matters affecting our lives, our liberties, and our properties, we have absolutely no voice. Taxation is imposed without any representation. The taxation is inequitable because more is levied than is needed for the Government, because it is simply class-taxation, and because the necessaries of life are unduly burdened. Expenditure is uncontrolled, the Legislature is uncontrolled, by any fixed Constitution. || This Legislature during the last few years has shown a constant spirit of hostility and has tried to keep us in awe by the use of force. The Executive Government has no true responsibility to the will of the people. President Krüger is supreme, and he has supported every act by which we and our children have been deprived of the right to the franchise, and by which taxation has been imposed upon us almost exclusively. In administration the grossest extravagance, bribery and corruption are rampant. The administration of native affairs is a source of danger to the community and the sources of native labour are destroyed. || The great public which subscribes the bulk of the revenue is virtually denied all benefit of State aid in education. The railway is held by a corporation in Holland, and it charges an outrageous tariff. We are liable for the whole of the debt. It is built on our credit, and yet we have no control. Monopolies are granted which serve to strangle industry; proper municipal government is denied; religious disabilities are imposed; and the English language is denied official recognition. The country is rich and could be marvellously developed, but it cannot stand the drain of the present exactions. We live largely upon foreign capital, and the total dividends are ridiculously small compared with the amount of capital invested. Credit must consequently suffer. || The general policy of the Government is based on an intense hostility to the English. Its set purpose is to repress the growth of industry and to try and prevent the working class from settling. A sum of 250 000 l. is to be spent on a fort at Pretoria, and 100 000 l. on a fort to terrorize the people of Johannesburg. Krupp guns and Maxims have been ordered. These measures are meant to keep us in subjection to unjust laws by the power of the sword, and to divide the classes instead of joining them by equal laws." || The mani-

Nr. 10826. Grossbritannien. 26. Dez. 1895.

festo concludes:—"We desire an independent Republic which shall be a true Republic, in which every man who takes the oath of allegiance to the State shall have equal rights, and in which our children shall be brought up side by side as united members of a strong commonwealth. We are animated by no race-hatred. We desire to deprive no man, be his nationality what it may, of any right. We want:—

"1. The establishment of this Republic a true Republic. || 2. A Grondiwet, or Constitution, which shall be framed by competent persons selected by representatives of the whole people, and framed on lines laid down by them—a constitution which shall be safeguarded against hasty alteration. || 3. An equitable franchise law, and fair representation. || 4. Equality of the Dutch and English languages. || 5. Responsibility to the Legislature of the heads of the great departments. || 6. The removal of religious disabilities. || 7. The independence of the Courts of Justice, with adequate and secured remuneration for the judges. || 8. Liberal and comprehensive education. || 9. An efficient Civil Service, with adequate provision for pay and pensions. || 10. Free Trade in South African products. || This is what we want. There now remains the question which is to be put before you at the meeting of the 6th of January—namely, how shall we get it? To this question I shall expect from you an answer in plain terms according to your deliberate judgment."—Our Correspondent.

Nr. 10827. GROSSBRITANNIEN. — Der Kolonialminister an den Gouverneur in Kapstadt. Soll die Chartered Company zur Ruhe ermahnen.

Sent 5.30 p.m., 29th December 1895.

Nr. 10827. Grossbritannien. 29. Dez. 1895.

Telegraphic. || (Strictly Confidential.) || It has been suggested, although I do not think it probable, that an endeavour might be made to force matters at Johannesburg to a head by some one in the service of the Company advancing from Bechuanaland Protectorate with police. || Were this to be done, I should have to take action under Articles 22 and 8 of the Charter. Therefore, if necessary, but not otherwise, remind Rhodes of these Articles, and intimate to him that, in your opinion, he would not have my support, and point out the consequences which would follow.

Nr. 10828. GROSSBRITANNIEN. — Der Gouverneur in Kapstadt an den Kolonialminister. Meldet den Aufbruch Jamesons gegen Johannesburg.

Received 4.45 p.m.. 30th December 1895.

Nr. 10828. Grossbritannien. 30. Dez. 1895.

Telegraphic. || Information reached me this morning, that Dr. Jameson was preparing to start yesterday evening for Johannesburg with a force of police. I telegraphed at once as follows to the Resident Commissioner in the Bechuanaland Protectorate:—"There is a rumour here, that Dr. Jameson has

entered the Transvaal with an armed force. Is this correct? If it is, send a special messenger on a fast horse directing him to return at once. A copy of this telegramm should be sent to the officers with him, and they should be told, that Her Majesty's Government repudiate this violation of the territory of a friendly State, and that they are rendering themselves liable to severe penalties." || If I hear from Newton, that the police have entered the Transvaal, shall I inform President Krüger, that Her Majesty's Government repudiate Jameson's action?

Nr. 10828. Gross-britannien. 30. Dez. 1895.

Nr. 10829. GROSSBRITANNIEN. — Der Gouverneur in Kapstadt an den Kolonialminister. Uebersendet eine Anfrage des britischen Geschäftsträgers in Pretoria über Jameson's Aufbruch.

Received 5.32 p. m., 30th December 1895.

Telegraphic. || I have received following from Britisch Agent in the South African Republic: — || Begins: 30th December, very urgent. President South African Republic sent for me, and the General then read to us telegram from Landdrost of Zeerust, that a number of British troops have entered Transvaal Republic from Mafeking and cut the wire, and are now on the march to Johannesburg. I assured President, that I could not believe the force consisted of British troops. The General then said they may be Mashonaland or Bechuanaland police, but he believes the information that a force had entered the State, and he said he would take immediate steps to stop their progress. His Honour requested me to ask your Excellency whether this force is composed of British troops or police under your Excellency's control, or whether you have any information of the movement. Ends. || I replied, that I had learnt rumour to same effect, and have telegraphed to inquire, adding that, if true, the step has been taken without my authority or cognizance, and that I have repudiated the act and ordered force to return immediately.

Nr. 10829. Gross-britannien. 30. Dez. 1895.

Nr. 10830. GROSSBRITANNIEN. — Der Kolonialminister an den Gouverneur in Kapstadt. Billigt Robinson's Verfahren.

Sent 11.30 p. m., 30th December 1895.

Telegraphic. || I reply to your telegrams relative to situation in South African Republic, your action is cordially approved. I presume, that Mr. C. J. Rhodes will co-operate with you in recalling Administrator of Matabeleland. Keep me informed fully of political situation in all its aspects; it is not clearly understood here. Leave no stone unturned to prevent mischief.

Nr. 10830. Gross-britannien. 30. Dez. 1895.

Nr. 10831. GROSSBRITANNIEN. — Der Gouverneur in Kapstadt an den Kolonialminister. Beschwerde der südafrikanischen Republik.

Received 11.5 a. m., 31st December 1895.

Nr. 10831. Grossbritannien. 31. Dez. 1895.

Telegraphic. || Following further message just received from British Agent, South African Republic:— || Begins: 30th December, most urgent. Commandant-General has received positive information, that about 800 Mashonaland troops are close to Rustenberg well armed with six Maxims and four other cannons, on march to Johannesburg, flying the English flag. His Honour desires me to say, that an armed force of British subjects entering Transvaal Republic by force is a serious breach of London Convention, that he is much surprised that Her Majesty's Government should allow such serious movements to go on unchecked, and he still hopes your Excellency will take immediate steps to stop this force from proceeding any further, as his Honour cannot allow such encroachment on his legal rights with impunity, and most serious consequences will follow, for which his Government cannot be held responsible. Awaiting immediate instructions. Ends.

I have instructed British Agent to send at once a thoroughly trustworthy mounted express with following message from me to Dr. Jameson to meet him on the road:— || Begins: Her Majesty's Government entirely disapprove your conduct in invading Transvaal with armed force; your action has been reputiated. You are ordered to retire at once from country, and will be held personally responsible for the consequences of your unauthorised and most improper proceeding. Ends. Inform President South African Republic of purport of this message. Ends. || Rhodes has not been in Capetown to-day. I have sent him in writing the purport of your message, and have remonstrated in strongest terms against Jameson's action, warning him of the consequences.

Nr. 10832. GROSSBRITANNIEN. — Der Gouverneur in Kapstadt an den Kolonialminister. Die südafrikanische Republik hat die Intervention Deutschlands und Frankreichs nachgesucht.

Received 11.28 a. m., 31st December 1895.

Nr. 10832. Grossbritannien. 31. Dez. 1895.

Telegraphic. || I have received following from British Agent, South African Republic: || Begins: 30th December. Most urgent. I have just been informed on unquestionable authority that, in view of an armed force entering Transvaal Republic, presumably Britisch subjects under British flag, President South African Republic has asked for the intervention of Germany and France, and Consuls have cabled the request to their respective Governments. No reply to any of my telegrams of to-day yet. I respectfully submit, that I am placed in a most awkward position in this critical condition to be without any instructions for my guidance; the Government has already sent for me twice; possibly by this time blood has already been shed. Ends. || British Agent has been informed, that his previous telegrams have been replied to as soon as received.

Nr. 10833. **GROSSBRITANNIEN.** — Der Gouverneur in Kapstadt an den Kolonialminister. Weitere Nachrichten über Jamesons Marsch.

Received 12.32 p. m., 31 st December 1895.

Nr. 10833. Gross-britannien. 31. Dez. 1895.

Telegraphic. || In continuation of my telegram of this morning I have received following reply from Newton. || Begins: 30th December. Your Excellency's of to-day. I have every reason to believe that the rumour to which your Excellency refers is correct. Two troops of Company's Police left Mafeking last night in an easterly direction with two Maxims and two 7-pr. guns. I understand the fact has been officially reported by the local authorities here to the Cape Government. I received your Excellency's telegram under reply in two portions, owing to an interruption on the wire, the latter portion arriving here at 12.50, and at 1.30 Orderly Sergeant White, Bechuanaland Police, left here in plain clothes on the best horse in camp to overtake the force. I have forwarded a certified copy of your Excellency's telegram to Dr. Jameson with a request that he will immediately comply with your Excellency's instructions. I also sent a copy to the Officer Commanding the Force, requesting him to circulate it among his officers for their information and guidance, and I have also sent copy to the officer second in command and to the captain of the two troops from Mafeking. I doubt whether the messenger will be able to overtake the force within 120 miles from here, as it probably had some 40 miles start, as I understand it passed through Malmani at 5 a. m. this morning. Any further information will be immediately forwarded to your Excellency. Ends.

Nr. 10834. **GROSSBRITANNIEN.** — Der Kolonialminister an den Gouverneur in Kapstadt. Ein Bote soll Jameson mit dem Rückzugsbefehle nachgesendet werden.

Sent. 2.10 p. m., 31 st December 1895.

Nr. 10834. Gross-britannien. 31. Dez. 1895.

Telegraphic. || You should represent to Mr. Rhodes the true character of Dr. Jameson's action in breaking into a foreign State which is in friendly Treaty relations with Her Majesty, in time of peace. It is an act of war, or rather of filibustering. If the Government of the South African Republic had been overthrown, or had there been anarchy at Johannesburg, there might have been some shadow of excuse for this unprecedented act. If it can be proved that the British South Africa Company set Dr. Jameson in motion, or were privy to his marauding action, Her Majesty's Government would at once have to face a demand that the Charter should be revoked and the Corporation dissolved. || As your first messenger may not succeed in overtaking Dr. Jameson, and it is not impossible that the latter may disregard the message and even the second message sent by you through the British agent at Pretoria, could you not, with President Krüger's assent, send Sir J. de Wet himself to

Nr. 10834. Grossbritannien. 31. Dez. 1895.

meet Dr. Jameson and order him in a still more authoritative manner to return? I am apprehensive of the consequences to British as well as to Transvaal interests in Johannesburg if a collision should take place outside between the forces of the Transvaal and Dr. Jameson. You should confidentially impress on the President the importance of avoiding an armed conflict, in view of the possible ulterior consequences. || I presume, that Mr. Rhodes will see the necessity of co-operating with you in undoing what Dr. Jameson has done. In any case the Company will probably have to pay a pecuniary indemnity for violation of territory and destruction of property by their officer. || Is it true, that an invitation to come in was sent to Dr. Jameson from Johannesburg?

Nr. 10835. GROSSBRITANNIEN. — Derselbe an Denselben. Hat der südafrikanischen Republik seinen Beistand angeboten.

Sent 3.10 p. m., 31 st December 1895.

Nr. 10835. Grossbritannien. 31. Dez. 1895.

Telegraphic. || I have thought it expedient to send the following telegram en clair to the President of the South African Republic. || Begins: Regret to hear of Jameson's action. Sir Hercules Robinson has sent messengers to call him back. Can I co-operate with you further in this emergency in endeavouring to bring about a peaceful arrangement which is essential to all interests in South Africa, and which would be promoted by the concessions that I am assured you are ready to make? Ends.

Nr. 10836. GROSSBRITANNIEN. — Kolonialamt an die britische südafrikanische Kompagnie. Tadelt den Friedensbruch Jamesons.

Downing Street, December 31, 1895.

Nr. 10836. Grossbritannien. 31. Dez. 1895.

Sir, || I am directed by Mr. Secretary Chamberlain to acquaint you, that he has heard, on authority which he cannot doubt, that Dr. Leander Starr Jameson, C. B., the Company's Administrator in Matabeleland, who was at Mafeking last Sunday, burst into the South African Republic during the early hours of Monday morning at the head of an armed and mounted force of about 700 men, and is now somewhere between Malmane and Rustenberg, and is destroying the public telegraph line as he goes along. || Mr. Chamberlain desires you to note, that the South African Republic is a foreign State, with which Her Majesty is at peace and in Treaty relations, and in this connection I am to remind you — || 1. Of the obligations imposed by the 22nd Article of the Charter of the British South Africa Company to perform and undertake all the Treaty obligations of Her Majesty towards any other state or power. || 2. Of the power reserved by Article 8 to a Secretary of State to make known to the Company his dissent from or objection to any of the dealings of the Company with a foreign Power, and of the obligation of the Company to act in accordance with any suggestion of a Secretary of State founded on such

dissent or objection. || 3. Of the further power reserved by Article 35 to the Queen to revoke the Charter and revoke and annul the privileges, powers and rights of the Company under the Charter. || As it is well known, one of the obligations of Her Majesty the Queen is to respect the right to self-government of the South African Republic, subject to the provisions of the Conventions between Her Majesty and that State. Dr. Jameson's conduct is only too obviously a breach of that engagement, and assuming for a moment that his act is that of the Company, Mr. Chamberlain, under Article 8, hereby makes known to the British South Africa Company that he dissents from and objects to the proceedings of the Company towards the foreign State styled the South African Republic, and suggests to the Company that it at once reverse those proceedings. || But, whilst thus taking the appropriate steps prescribed by the charter, Mr. Chamberlain can hardly doubt that, as a matter of fact, the news of Dr. Jameson's action will have been received by the Company with the same feelings of pained surprise as it was by him, and he would be glad to have an early expression of the views of your Directors on the situation. || If by any possibility it could be brought home to the Company that they had set Dr. Jameson in motion or were privy to his marauding behaviour, Mr. Chamberlain desires me to observe that Her Majesty's Government would have at once to face a demand for the revocation of the Charter and the dissolution of the Corporation. || Mr. Chamberlain is using the most strenuous endeavours, in correspondence with Sir Hercules Robinson, President Krüger and others, to minimise and avert the consequences of Dr. Jameson's unprecedented act, and he hopes to learn, that the efforts of the Company are being used and will be used in the same direction. Edward Fairfield.

Nr. 10836. Grossbritannien. 31. Dez. 1895.

Nr. 10837. GROSSBRITANNIEN. — Der Gouverneur in Kapstadt an den Kolonialminister. Bericht über die Lage in Johannesburg. Haltung von Rhodes.

Received 1st January 1896.

Telegraphic. || 31st December.—No. 4. Since despatching my three cablegrams this morning I have received following two telegrams from British Agent in the South African Republic: — || First begins: 31st December. Urgent. Your Excellency's telegram of yesterday received past 9 last evening. I at once went to General Joubert's house and communicated same to him and from there telephoned substance of your message to President of South African Republic. Whilst at General Joubert's house he received further information, that at 5 o'clock Dr. Jameson with four other officers and the force were about three or four hours south-west of Rustenberg. He was seen in the very act of cutting the telegraph wire, and it is said that all communication between there and Bechuanaland is also cut off. General Joubert has issued orders, that this force is to be stopped at all hazards; a large Burgher force has proceeded in this direction, and a collision may take place at any moment.

Nr. 10837. Grossbritannien. 1. Jan. 1896.

Nr. 10837. Gross-britannien. . Jan. 1896.

It has now been definitely ascertained, that there is a large organisation at Johannesburg, and that preparations have gone on for months to forcibly overthrow this Government. A civil war seems inevitable. More than half the Johannesburg people, English as well as other foreigners, are against the revolutionary movement, and will probably side with the Government in every way; the feeling here is intense indignation at British South Africa Company's force invading this country, and there is the strongest suspicion that Her Majesty's Government countenance the movement, or at all events must be cognizant of what was going on or intended. I repudiated both assumptions as impossible; the misery and sufferings that this dreadful business will bring on the whole community of this country cannot be estimated; food-stuffs are already at famine prices, and if railway communications are cut off, as in all probability they may be, there will be famine and starvation, not even to speak of bloodshed, which now seems certain. I have asked his Honour for protection of law-abiding British subjects, which he promised. All special duties have been taken off from all foodstuffs, and further redresses of grievances have been promised by Government. I have offered General Joubert if he should go to Johannesburg with a view to try to avert the threatening danger that I will go with him and also do my best. Does your Excellency approve of this? The position is intensely critical and fraught with the greatest dangers, and all the horrors of civil war. Please intimate what my line of conduct should be. Ends.

Second begins: 31st December. Urgent. Your Excellency's telegram with message to Dr. Jameson only reached me at 8 this morning. I hope within an hour to start special messenger well mounted with pass from General to pass through Burgher forces. Government informs me, that Burghers' Commandants have received instructions to allow Jameson's force to return, provided they disarm. Further information received here by Government that another troop of fifteen men of British South Africa Company's police under their officers left Mafeking last night to join Jameson's force who was at Malan's Farm last night near Rustenberg. If this force and the second do not surrender, an engagement seems inevitable. All families who can afford it are leaving Pretoria and Johannesburg. The delays in your Excellency's replies I am informed take place at Cape Town office. Ends.

Have seen C. J. Rhodes, who assures me Jameson acted without his authority. As soon as he heard on Sunday that Jameson contemplated entering Transvaal, he at once endeavoured to stop him, but found wires cut. He offered to resign if you or I wished it; but I said I saw no necessity at present for such steps, and I suggested his sending telegram to President of South African Republic which he told me his colleagues in the Cabinet also recommended. I have approved British Agent in South African Republic accompanying Joubert to Johannesburg as proposed.

Nr. 10838. GROSSBRITANNIEN. — Derselbe an Denselben. Protest des Oranje-Freistaats gegen Jameson's Zug.

Received 1st January 1896.

Telegraphic. || No. 5, I have received following from Acting Orange Free State President: — || Begins: President of South African Republic wires, that an armed force of or about 800 men with Maxims and cannons is already 40 miles within the boundary of South African Republic, the officer commanding being Dr. Jameson. The Commandant of Marico on cautioning him to retire beyond the borders of South African Republic received following reply in writing: „Sir, — I am in receipt of your protest of above date, and have to inform you that I intend proceeding with my original plans, which have no hostile intentions against people of Transvaal, but we are here in reply to an invitation from the principal residents of the Rand to assist them in their demands for justice and the ordinary rights of every citizen of a civilized State. (Signed) Jameson." Is your Excellency aware of this? I trust, that your Excellency will see that such action will have very serious consequences as regards the peace and welfare of South Africa. I shall be glad to receive speedy reply. Ends. || I have informed Acting Orange Free State President, that Her Majesty's Government disapprove Dr. Jameson's proceeding and that he has been ordered to retire at once from South African Republic.

Nr. 10838. Grossbritannien. 1. Jan. 1896.

Nr. 10839. GROSSBRITANNIEN. — Derselbe an Denselben. Hat durch eine Proklamation alle britischen Unterthanen zur Ruhe ermahnt.

Received 1st January 1896.

Telegraphic. || 31st December. — No. 6. Mr. J. H. Hofmeyr has just been to see me. He is indignant at Jameson's invasion of South African Republic with armed force and says this will be feeling of every Africander in South Africa. He says Jameson will disregard the messages he has received from me and the public will not know of them, and he urges me to issue Proclamation publicly repudiating Jameson's action on behalf of Her Majesty's Government and calling on all British subjects to abstain from aiding or abetting him in his armed violation of territory of friendly state. He thinks this step only chance of averting civil war. Acting on your injunction to leave no stone unturned to prevent mischief, I have decided to issue Proclamation and hope you will approve*).

Nr. 10839. Grossbritannien. 1. Jan. 1896.

Nr. 10840. GROSSBRITANNIEN. — Der Kolonialminister an den Gouverneur in Kapstadt. Massregeln, um Blutvergiessen zu vermeiden.

Sent 12.30 p. m., 1st January 1896.

Telegraphic. || 1st January. — No. 1. Glad to hear of Rhodes's repudiation of Jameson, who must be mad. I see no need for Rhodes to

Nr. 10840. Grossbritannien. 1. Jan. 1896.

*) Am folgenden Tage ersuchte Präsident Krüger telegraphisch um eine solche Proklamation.

Nr. 10840. Gross-britannien. 1. Jan. 1896.

resign. Telegraph direct to editors of papers in Johannesburg, Pretoria and Bloemfontein that you, I and Rhodes repudiate Jameson's action, and that you are commanded by Her Majesty to enjoin all her subjects in South African Republic to abstain from aiding or countenancing Jameson or his force, to remain quiet and obey the law and the constitutional authorities, and to avoid tumultuous assemblies or in any manner adding to the excitement. Publish also in Cape press, and if necessary issue an additional formal Proclamation. It seems a clear case for asking President of South African Republic to allow a flag of truce under which De Wet can go up to Jameson and order him in the Queen's name to disarm and retire, making it plain to him that he is practically an outlaw and a filibuster. Of course the British South Africa Company, however innocent, will have to make amends for this outrage. You had better repeat all this to De Wet through Governor of Natal, suggesting to the latter that, with the concurrence of his Ministers, he should issue Proclamation similar to your own. || Her Majesty's Government will repudiate Jameson publicly here. || De Wet should, as you ordered Newton to do, communicate with each of Jameson's officers direct, telling those who belong to the regular or reserve forces that they will be cashiered unless they obey Her Majesty's order to disarm and retire. Inform Krüger fully of all steps taken. At the same time impress upon him most strongly necessity of avoiding collision while Her Majesty's Government are doing everything to prevent mischief. || Take all steps you may think necessary in this crisis. I have full confidence in your discretion. The chief things are promptitude and vigour.

Nr. 10841. GROSSBRITANNIEN. — Der Gouverneur in Kapstadt an den Kolonialminister. Haltung von Rhodes. Briefe an Jameson.

Received 10.6 p. m., 1st January 1896.

Nr. 10841. Gross-britannien. 1. Jan. 1896.

Telegraphic. || Referring to your telegram of 31st December, I have asked De Wet to meet Jameson himself, if possible, and to order him in an authoritative manner to retire. I have read your message to Rhodes and urged him to make a public disavowal of all complicity with Jameson. I believe, that his colleagues have given him the same advice. I have also impressed on him the necessity for his co-operation in directing Jameson's immediate return. || I have seen a copy of a letter to Jameson, dated 20th December, from Messrs. Leonard, Frank Rhodes, Phillips, Hamond and Farrar, asking him to come to their assistance in case of disturbance in Johannesburg. I understand, that these gentlemen now repudiate Jameson's action on the ground that the circumstances contemplated in their letter had not arisen when he started. Jameson's action is condemned throughout all South Africa; not a voice is raised in his support.

Nr. 10842. SÜDAFRIKANISCHE REPUBLIK. — Präsident Krüger an den englischen Kolonialminister. Weitere Bewegungen von Truppen britischer Gesellschaften sind zu befürchten.

Received 1.15 a. m., 2nd January 1896.

Nr. 10842. Südafrikan. Republik. 2. Jan. 1896.

Telegraphic. || I have placed your telegram*) before the Executive Council, and I am directed by that body to thank you for the offer you have made to co-operate with me under the present circumstances. The Executive Council sees in this the confirmation of the friendly feelings of Her Majesty's Government expressed in a message received yesterday from the High Commissioner. For the moment the Executive Council thinks it desirable to communicate the enclosed [?] telegram and thinks that Her Majesty's Government's co-operation therein furnishes the best opportunity for co-operation. || From Newman, Buluwayo and from „Chronicle“ Buluwayo. — Newman to "Financial Record," Johannesburg. Buluwayo, Monday: Consequence news received from Transvaal, 1,000 men ready leave here for border at moment's notice, mounted, equipped, armed with battery guns, Maxims; mass meeting held Sunday evening, another to day. Buluwayo 31, 179, "Chronicle" to "Star", Johannesburg: Startling news: information has just come to hand, that Captains Napier and Spreckley have been ordered to the Transvaal with whole available force or Rhodesia horse; the force will be on horseback and take all the remaining Maxims in town as well as the new 12-pounder. A contractor will supply 100 mules for transport of machine guns, &c., 1000 men have been asked for and despatches have been sent to the surrounding districts of Gwanda and Relingwe to mobilize the men immediately; it is expected, that the number will be raised all right; the two officers expect to leave in about a week as the orders are to start immediately and have [spare?] no expense; the road taken will be the Mafeking via Tati, where every arrangement has been made for provisioning the troops; we understand, that the men will be well paid and receive a bonus at the end of the affair; the two officers will enrol all those men who wish to go at once; no time will be lost.

Nr. 10843. GROSSBRITANNIEN. — Der Gouverneur in Kapstadt an den Kolonialminister. Der Oranje-Freistaat will der südafrikanischen Republik seine Hülfe anbieten.

Received 2.19 a. m, 2nd January 1896.

Nr. 10843. Grossbritannien. 2. Jan. 1896.

Telegraphic. || 1st January. — No. 2. Following telegram received from Acting Orange Free State President: — || Begins: Your Excellency's telegram of yesterday received. I must thank your Excellency for the measures so far adopted to preserve peace of South Africa, but information to hand

*) Nr. 10835.

Nr. 10843. Grossbritannien. 2. Jan. 1896. leads me regretfully to conclude, that your Excellency's endeavours to recall Dr. Jameson from his unwarranted invasion of South African Republic have hitherto been unsuccessful. Jameson's forces consisting of British subjects organised in and starting from British territory to invade the neighbouring Republic, I feel my duty to ask your Excellency whether any and what steps are being taken by British Government forcibly to oppose Jameson and to ensure his retirement. I am about issuing orders to have our Burghers commandeered to be in readiness to assist the sister Republic, but trust that your Excellency may still be enabled to adopt such measures as to avert the necessity of interference by this State to aid our sister Republic in resisting hostile attacks from without on their independence. In all efforts to avert bloodshed your Excellency will have hearty co-operation from this Government. Ends.

I have to-day sent following reply: — || Begins: Your Honour's telegram of to-day. I have sent British Agent in South African Republic, Sir J. De Wet, to turn back Dr. Jameson; should that step fail, I must consult Her Majesty's Government as to what steps I am to take. I am using my utmost endeavours to avert bloodshed and bring about peaceable settlement, and I ask your Honour's Government to assist me in this. Ends. || I believe the two Republics are mutually bound by Treaty to assist each other in the event of hostile attack upon either from without.

Nr. 10844. **GROSSBRITANNIEN.** — Derselbe an Denselben. Der Gouverneur will mit Zustimmung Präsident Krüger's nach Pretoria reisen, um ihn in seinen Friedensbemühungen zu unterstützen.

Received 4.52 a. m., 2nd January 1896.

Nr. 10844. Grossbritannien. 2. Jan. 1896. Telegraphic. || No. 4. I sent British Agent, Pretoria, following telegram this morning: — || Begins: I have just seen in papers, that there has been a rising in Johannesburg and a Provisional Government declared. See President of South African Republic at once and ask if he would wish me to come up to Pretoria to co-operate [with] him in endeavouring to bring about a peaceful settlement. Ends.

I have just received following reply: — || Begins: Following answer to your Excellency's telegram of this morning, offering to co-operate with President South African Republic, has this moment been handed to me: || Begins: From his Honour the President: I accept your Excellency's offer delivered to me by British Agent to come to Pretoria to assist to prevent further bloodshed, as I have received information that Dr. Jameson has not given effect to your orders, and has fired on my Burghers, and I would advise your Excellency, for cogent reasons, to come straight to Pretoria, and to receive no deputations either at Johannesburg or Pretoria until you have met his Honour the President Ends.

Rhodes and colleagues in the Cabinet warmly in favour of my accepting and proceeding to Pretoria by special train to-morrow night. Chief Justice and Hofmeyr also told me this morning, that, if invited, it would be right for me to go. Do you approve of my doing so, and have you any instructions to give me? What line shall I take with Jameson, who has apparently disregarded my two messages and my Proclamation, and is stated to have fired on the Burghers? It is believed, that he will be in Johannesburg at daylight to-morrow morning. Reply as soon as you can, as arrangements for special train and other administrative matters have to be made after I receive your reply. Please telegraph "yes" or "no" at once, as if "yes" your instructions can follow later and meet me on the road*).

Nr. 10844. Grossbritannien. 2. Jan. 1896.

Nr. 10845. GROSSBRITANNIEN. — Derselbe an Denselben. Jamesons Antwort auf den Befehl umzukehren.

Received 6. 15 a.m., 2nd January 1896.

Telegraphic. || No. 5. Following has been received from De Wet: — || Begins: Just received following reply from Dr. Jameson in reply to your Excellency's first message ordering him to return: || Begins: 1st January. Dear Sir, I am in receipt of the message you sent from His Excellency the High Commissioner, and beg to reply, for His Excellency's information, that I should, of course, desire to obey his instructions, but, as I have a very large force of both men and horses to feed, and having finished all my supplies in the rear, must perforce proceed to Krugersdorp or Johannesburg this morning for this purpose. At the same time I must acknowledge I am anxious to fulfil my promise on the petition of the principal residents on the Rand to come to the aid of my fellow-men in their extremity. I have molested no one, and have explained to all Dutchmen met that the above is my sole object, and that I shall desire at once to return to the Protectorate. Jameson. Ends.

Nr. 10845. Grossbritannien. 2. Jan. 1896.

Nr. 10846. GROSSBRITANNIEN. — Der Kolonialminister an den Gouverneur in Kapstadt. Fordert strenge Unterdrückung eines neuen Freibeuterzuges.

Sent 1.40 p.m., 2nd January 1896.

Telegraphic. || No. 3. I have received from President of South African Republic a copy of information which has reached him from Matebeleland to the effect that 1,000 armed and mounted men are being got together at Buluwayo, with six Maxims and 12-pounders, under Captains Napier and Spreckley, to invade the Transvaal, advancing by the Tati and Mafeking Road. I have enjoined the British South Africa Company to telegraph direct to Buluwayo to stop this. Communicate the information to Rhodes, asking for

Nr. 10846. Grossbritannien. 2. Jan. 1896.

*) Chamberlain antwortete noch am 2. Jan. mit „ja". Red.

Nr. 10846. Grossbritannien. 2. Jan. 1896. explanations, and requesting him to take the necessary action. Warn Ashburnham to look out for the force and order them to turn back in the Queen's name. Any one in the force who bears the Queen's Commission will be cashiered should he disobey. || If the law of Bechuanaland and Matebeleland is not already sufficiently strong, issue legislative Proclamation, covering both countries, prohibiting such filibustering under appropriate penalties. || I will telegraph text of message from President of South African Republic later on. Apart from the report of what is happening at Buluwayo it is not important.

Nr. 10847. **GROSSBRITANNIEN.** — Der Gouverneur in Kapstadt an den Kolonialminister. Jameson hat alle Befehle missachtet und befindet sich im Gefecht.

Received 4.10 p.m., 2nd January 1896.

Nr. 10847. Grossbritannien. 2. Jan. 1896. Telegraphic. || No. 2. Newton telegraphs, that his messenger overtook Jameson 10 miles on the other side of Elans River; brought back verbal messages that the despatches had been received and would be attended to; the force was saddling up when messenger arrived and at once proceeded eastwards. Jameson has thus received both my messages and has disregarded them.

De Wet telegraphs this morning, that it would have been impossible for him to have gone to Jameson, and if it had been possible his mission would have proved futile as fighting commenced at 4 o'clock yesterday. He had been unable to obtain particulars from Joubert last night and has heard nothing beyond rumour this morning. || "Cape Times" has telegram this morning as follows: Pretoria, 1st January. Latest from Krügersdorp is that there has been hard fighting; the chartered troops suffering heavily. Will cable as soon as I learn anything authentic.

Nr. 10848. **GROSSBRITANNIEN.** — Derselbe an Denselben. Ueble Lage Jamesons.

Received 4.40 p.m., 2nd January 1896.

Nr. 10848. Grossbritannien. 2. Jan. 1896. Telegraphic. || No. 3. Following message received from British Agent South African Republic:— || Begins: 2nd January. I have just seen the Executive General; he says as far as he knows Jameson has been driven from several positions; the Burghers have twenty-two wounded prisoners, including three officers, and twenty other prisoners; five dead bodies have been buried by Burghers; last information fighting still proceeding; no force has yet moved out of Johannesburg to assist Jameson. Information received by Government of further British South Africa Company's forces mobilising to enter Transvaal, and a Kaffir commando within Transvaal on Bechuanaland border. Free State ready to assist Transvaal if required. Jameson surrounded by large force close to Krügersdorp. Railway line between Krügersdorp and Johannesburg been broken up. Ends.

Nr. 10849. GROSSBRITANNIEN. — Derselbe an Denselben. Rüstungen des Oranje-Freistaats.

Received 4.20 p.m., 2nd January 1896.

Telegraphic. || No. 4. Following telegram received from Acting President of Orange Free State to-day:— || Begins: I have the honour to inform your Excellency, that 1,600 Burghers have been commandeered to take up a position about 16 miles on this side of Vaal River.

Nr. 10849. Grossbritannien. 2. Jan. 1896.

Nr. 10850. GROSSBRITANNIEN. — Derselbe an Denselben. Niederlage Jamesons.

Received 4.40 p.m., 2nd January 1896.

Telegraphic. || No. 6. Following message received from British Agent in South African Republic:— || Begins: Jameson's force surrendered. Ends.

Nr. 10850. Grossbritannien. 2. Jan. 1896.

Nr. 10851. GROSSBRITANNIEN. — Die britische südafrikanische Kompagnie an das Kolonialamt. Antwort auf Nr. 10836.

15, St. Swithin's Lane, E.C., January 2, 1896. Received 2nd January 1896.

Sir, || Your letter of the 31st ultimo, acquainting this Company, that Mr. Secretary Chamberlain has heard that Dr. Jameson burst into the South African Republic during the early hours of Monday morning at the head of an armed and mounted force of about 700 men, and is destroying the public telegraph line as he goes along, has been considered by my Directors at a special Board meeting held to-day, and they have also had before them Mr. Chamberlain's telegram addressed to them this morning. || Until the receipt of your letter, my Board had no knowledge of the occurrences of which you advise us, and I am to state that my Directors are absolutely without any information beyond what you convey and what is to be learnt from the public journals. || Immediately on receipt of your letter yesterday morning an urgent telegram was sent to the Managing Director at Cape Town, communicating fully the contents of your letter, and asking for full particulars, but up to the time of writing no reply has been received. || My Directors, in obedience to the requisition and suggestion of the Right Honourable the Secretary of State, made pursuant to Article 8 of the Charter, instruct me to state that this Company dissents from and objects to the action it is stated that their Administrator, Dr. Jameson, has taken; and this Company has cabled to its Managing Director in Cape Town, and directed him to immediately inform Dr. Jameson of the desire of the Secretary of State, and require him to at once return to this Company's field of operations. || A cable to the Acting Administrator at Salisbury, and to the principal officer in command at Buluwayo has been despatched, in compliance with Mr. Chamberlain's telegram. || I am to add, that my Board is prepared to take any steps and give any instructions the Secretary of State may in the circumstances think necessary.

Nr. 10851. Grossbritannien. 2. Jan. 1896.

Herbert Canning, Secretary.

Nr. 10852. GROSSBRITANNIEN. — Der Kolonialminister an den Präsidenten der südafrikanischen Republik. Fürsprache für die Gefangenen.

Sent 1.30 p.m., 3rd January 1896.

Nr. 10852. Grossbritannien. 3. Jan. 1896.

Telegraphic. || It is rumoured here, that you have ordered prisoners to be shot. I do not believe it, and rely on your generosity in the hour of victory. || Rhodes telegraphs this morning that rumour as to force collecting at Buluwayo is absolutely false.

Nr. 10853. GROSSBRITANNIEN. — Der Gouverneur von Kapstadt an den Kolonialminister. Reise nach Pretoria.

Received 4 p.m., 3rd January 1896.

Nr. 10853. Grossbritannien. 3. Jan. 1896.

Telegraphic. || Beaufort West, 3rd January.—No. 1. Your telegram of yesterday*) will be attended to. I left Cape Town at 9 o'clock last night; hope to reach Pretoria at 9 o'clock to-morrow, Saturday, and cablegrams from you will reach me on the road.

Nr. 10854. GROSSBRITANNIEN. — Mr. Rhodes an die britisch-südafrikanische Gesellschaft. Jameson hat ohne Rhodes Kenntniss gehandelt.

Dated 3rd January 1896.

Nr. 10854. Grossbritannien. 3. Jan. 1896.

Telegraphic. || Mr. Rhodes says Dr. Jameson started without his knowledge or consent. Dr. Jameson had strongly worded letter from leading inhabitants of Johannesburg asking assistance in the event of trouble arising from just demand for constitutional rights. Letter stated large number women and children would be unprotected. British South Africa Company in no way responsible for Dr. Jameson's movement. Dr. Jameson took bit in mouth and bolted off.—C. J. Rhodes.

Nr. 10855. GROSSBRITANNIEN. — Der Kolonialminister an den Gouverneur in Kapstadt. Instruktionen für die Verhandlungen mit Präsident Krüger.

Sent 4.10 a.m., 4th January 1896.

Nr. 10855. Grossbritannien. 4. Jan. 1896.

Telegraphic. || In sending instructions under present circumstances as a guide for your conduct, I must leave you to exercise your discretion, in which I have full confidence. || The following are, however, generally the views of Her Majesty's Government, which you should put before the President of the South African Republic. Her Majesty's Government need hardly assure President Krüger of their friendly feelings towards him and their desire to promote the best interests of the Republic, nor of their loyal adherence to the provisions of the London Convention. They feel, however, that the large

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*) Hierin hatte Chamberlain Robinsons Reise nach Pretoria für dringend nothwendig erklärt. Red.

interests with which they are charged in South Africa justify them in making friendly representations to the President in regard to matters outside the Convention in which persons of British nationality, who have for some time cast in their lot with the South African Republic, are deeply concerned. || The principal of these questions is that of the electoral franchise, and that of naturalisation generally. These questions are among those on which the First Volksraad has within the last few years changed its policy by altering the status quo as it was present to the minds of Her Majesty's advisers when they negotiated the Convention of London. As to the reforms on this point, you may take it that Her Majesty's Government adopt as their own the views and arguments of Lord Ripon's despatch of the 19th October 1894.[1])

They do not set up the doctrine of double allegiance, which, indeed, is negatived by Act of Parliament. But the claim for full citizenship for all persons born in the Republic and also for Uitlanders who have resided for a reasonable period in the Transvaal, and who have fulfilled all other usual conditions, appears to them to be not unreasonable and justified by the precedents in all civilised States. In connection with this subject I wish you to represent to the President that the form of the oath of allegiance is unusual and humiliating, as explained by Lord Ripon. I need only add, that, once the way to naturalisation is made easy, and the electorate thus enlarged, an addition to the numbers of the Volksraad would seem to follow as a necessary corollary, so that votes may have something approaching to an equality of value. || The next point is the taxation. Her Majesty's Government understand, that the Uitlanders do not deny that public burdens should be proportionate to ability to pay, and that the Republic is entitled to take toll on the mineral wealth of those to whom the right of working the minerals has been conceded. But, for reasons with which you are familiar, they allege that the existing taxation is unequal, and more especially oppressive to that part of the community by whose toil the South African Republic has been raised to its present prosperity. Her Majesty's Government feel sure, that these complaints will receive attention of President of South African Republic, and that he will see that much bitterness would be avoided if all grievances ascertained on inquiry to be well founded were remedied. || The other chief causes of complaint as to which I hope that redress will be granted are (1) absence of all provision for education for the children whose mother-tongue is other than Dutch, given, when their numbers are sufficient to make establishment of separate schools possible, in their own language; (2) want of efficient civil police in centres of opulation, especially in connection with detection of crime; and (3) the inefficiency of the present system of mine inspection. || I leave to you, in exercise of the discretion already entrusted to you, to bring forward and press other points as you may deem it advisable; but I should

*) Nr. 10915.

Nr. 10855. Grossbritannien. 4. Jan. 1896.

be glad if you could see your way to the inclusion of the very important question of the granting, in due course, of full municipal privileges to Johannesburg. The next matter with which I have to deal is the degree of urgency with which you are to press these points on the attention of the President and the other authorities. I am aware, that victory of Transvaal Government over Administrator of Mashonaland may possibly find them not willing to make any concessions. If this is the attitude they adopt, they will, in my opinion, make a great mistake; for danger from which they have just escaped was real, and one which, if the causes which led up to it are not removed, may recur, although in a different form. || I have done everything in my power to undo and to minimise the evil caused by late unwarrantable raid by British subjects into the territory of the South African Republic, and it is not likely that such action will be ever repeated; but the state of things of which complaint has been made cannot continue for ever. If those who are now a majority of inhabitants of the Transvaal, but are excluded from all participation in its government, were, of their own initiative, and without any interference from without, to attempt to reverse that state of things, they would, without doubt, attract much sympathy from all civilised communities who themselves live under a free Government, and I cannot regard the present state of things in the South African Republic as free from danger to the stability of its institutions. The Government of the South African Republic cannot be indifferent to those considerations, and President of South African Republic himself has on more than one occasion expressed his willingness to inquire into and to deal with just reasons for discontent; and the Volksraad have now the opportunity to show magnanimity in the hour of their success and to settle all differences by moderate concessions. They must fully admit the entire loyalty of yourself and of Her Majesty's Government to the terms of London Convention, as shown by their recent intervention, and they must recognise that their authority in crisis through which they have passed could not have been so promptly and effectively asserted without that intervention. || If they will recognise this by making concessions in accordance with our friendly advice, no one will be able to suggest that they are acting under pressure, and their voluntary moderation will produce best effect among all who are interested in wellbeing of the Transvaal and in future of South Africa.

Nr. 10856. GROSSBRITANNIEN. — Der Gouverneur in Kapstadt an den Kolonialminister. Die Lage in Johannesburg.

Received 5.20 a. m., 4th January 1896.

Nr. 10856. Grossbritannien. 4. Jan. 1896.

Telegraphic. || 3rd January.—No. 2. I have received following from De Wet:— || Begins: Your Excellency's telegram just received. Everything quiet now, and no further serious disturbances will occur. A deputation from

Johannesburg Reform Committee came over last evening, giving a guarantee to keep the peace and order. I waited on President Krüger and informed him of the guarantee. He gave me an assurance, that, pending your Excellency's arrival, if the Johannesburg people keep quiet and commit no acts of hostility, or in any way break laws of the country, Johannesburg will not be molested or surrounded by the Burgher forces. The deputation was highly grateful for this assurance of his Honour, and pledged the Committee to preserve peace and order. I wired the assurance to the Committee, and I take this early opportunity of testifying in the strongest manner to the great moderation and forbearance of the Government of the South African Republic under the exceptionally trying circumstances. Their attitude towards myself was everything I could wish. The prisoners have just arrived; casualties on their side are said to be severe; on the side of the Burghers very slight.

Nr. 10856. Grossbritannien. 4. Jan. 1896.

Nr. 10857. GROSSBRITANNIEN. — Derselbe an Denselben. Rhodes hat seine Demission angeboten.

Received 6.41 a. m., 4th January 1896.

Telegraphic. || Nr. 5.—3rd January. Rhodes came to me yesterday shortly before I left and stated, that he wished to resign, as, in view of Dr. Jameson's action, he felt that it was not possible for him to continue to retain the combined positions of Premier and Managing Director of the British South Africa Company. || I asked him to retain office till my return, pointing out that a Ministerial crisis would postpone my departure.

Nr. 10857. Grossbritannien. 4. Jan. 1896.

Nr. 10858. GROSSBRITANNIEN. — Derselbe an Denselben. Es ist möglich, dass die Gefangenen an England ausgeliefert werden.

Bloemfontein Station, received 2.45 p. m., 4th January 1896.

Telegraphic. || 4th January. — Nr. 1. Think there is possibility, that President South African Republic may offer to hand over all his prisoners to be dealt with by High Commissioner. Would be glad to hear as soon as possible what your views would be as to disposal of them in such case. Question under consideration is extremely difficult to deal with, but, on the whole, I am disposed to recommend they should be sent by railway to Natal, which is nearest point where there are British troops. Non-commissioned officers and men might be paid off there, to be discharged and sent to their homes in small bodies. The whole of expense to fall on British South Africa Company. The question of how Jameson and the other officers should be dealt with seems to me matter for your judgment.

Nr. 10858. Grossbritannien. 4. Jan. 1896.

Nr. 10859. GROSSBRITANNIEN. — Der Kolonialminister an den Gouverneur in Kapstadt. Antwort auf das vorige.

Sent 7.37 p. m., 4th January 1896.

Nr. 10859. Gross-britannien. 4. Jan. 1896.

Telegraphic. || 4th January.—Nr. 6. President Krüger's magnanimity if he were to offer to hand over the prisoners would be very highly appreciated by me. In such a case I should propose, that all should be sent out of the country as you propose, except the ringleaders. If the ringleaders were delivered up they would be indicted and brought to trial in this country; but it is right to point out, that a situation might then arise which would be attended with great difficulties. It would be necessary to consider the precise legal offence which has been committed, and, whatever might be the form of indictment, the trial would evoke expressions of public feeling both one way and the other which would be prolonged, and could hardly fail to have a bad effect; furthermore, the result of the trial could not be certainly anticipated and might not satisfy the interests of justice. These considerations ought in my opinion to be in fairness submitted to the President. On the other hand, if he were to offer to deliver up the prisoners, I could not decline the offer unless I could be assured by you that, in the event of a trial taking place in the South African Republic, no excessive punishment would be awarded for the offence which has undoubtedly been committed. It might be pointed out by you that the President would furnish a marked instance of generosity if he were to release all the other prisoners; while by dealing mercifully with the ringleaders he would alienate from them the sympathy which if they were harshly treated would undoubtedly be attracted.

Nr. 10860. GROSSBRITANNIEN. — Der Geschäftsträger in Petermoritzburg an den Kolonialminister. Details über das Gefecht bei Krügersdorp.

Received 10 p. m., 4th January 1896.

Nr. 10860. Gross-britannien. 4. Jan. 1896.

Telegraphic. || 4th January.—Following extracted from press telegrams. Jameson's loss stated at 80 killed, besides wounded. 9 officers and 550 men gone to Pretoria. If original force 800, as reported, this makes total loss 240. Papers give names of 6 who have been killed and 40 wounded. No officers in list of killed. Coventry and Barry reported seriously wounded. Grey slightly. Willoughby untouched. Gone Pretoria. Arrangements for treating wounded reported excellent. Boer loss stated to be 3 or 4 killed and a few wounded; but some accounts say that 15 were knocked off their horses at one volley. No one of note in lists. Newspaper accounts say that on evening of 31st Jameson arrived near Krügersdorp, and next morning attacked Boer position, which was very strong; was repulsed, and tried to move round by Randfontein to Roodeport, but was stopped at Doornkop on afternoon of 2nd. Heavy fighting took place, and, the State artillery having come up, and

Jameson being hopelessly outnumbered, and his men starved, some of them having been without food for three days, surrendered, after suffering considerable loss. The telegrams are confused and contradictory, and it is difficult to make out a connected account. All accounts agree, that the force was in a state of starvation, and the horses completely done up. It is further stated, that Bettington went out from Johannesburg ostensibly to Jameson's relief, but probably only on patrol, and that 30 of his men were made prisoners.

Nr. 10860. Gross-britannien. 4. Jan. 1896.

Nr. 10861. **SÜDAFRIKANISCHE REPUBLIK.** — Präsident Krüger an den englischen Kolonialminister. Gesetzliche Behandlung der Gefangenen; Misstrauen gegen Rhodes.

Received, 9.15 a. m., 5th January 1896.

Nr. 10861. Südafrikan. Republik. 4. Jan. 1896.

Telegraphic. || 4th January. — Your Honour's telegram of the 4th instant. I have given no orders to have the freebooters who have been taken prisoners shot. Their case will in due course be decided strictly according to the traditions of this Republic — and in sharp contrast to the unheard-of proceedings of these freebooters there will be no punishment inflicted upon them which is not in accordance with law. || In England so many lying and false reports are disseminated even by the most influential newspapers that I deem it advisable to add, that the freebooters who have been taken prisoners have been treated by our Burghers with the greatest consideration, notwithstanding the fact that they have more than once been forced to take up arms for the defence of the dearly-bought independence of our Republic. || I hope your Honour will kindly pardon the liberty I am taking when I say in regard to the last part of your telegram, that our confidence in Rhodes has received such a rude shock that his absolute repudiation of the proceedings at Buluwayo ought to be received with the greatest caution. Even now we have news that an armed force is collecting on our borders. || If that be true, I trust that not the word of Rhodes but the influence of your Government and Sir Hercules Robinson will suffice to prevent further incursions of freebooters — even although it was not successful in enabling the good intentions of the High Commissioner to be carried out in arresting the further advance of Jameson. || Will your Honour, in order to check the further dissemination of lying reports, do us the favour of giving publicity to the contents of this communication?

Nr. 10862. **GROSSBRITANNIEN.** — Der Kolonialminister an den Präsidenten der südafrikanischen Republik. Antwort auf das vorige.

Sent 3.30 p. m., 5th January 1896.

Nr. 10862. Gross-britannien. 5. Jan. 1896.

Telegraphic. || I thank your Honour for you message, which I will publish as you desire. The press have not given credence to the rumours about cruelty to the prisoners; and for myself I have always felt confidence

Nr. 10862. Grossbritannien. 5. Jan. 1896. in your magnanimity. I have sent an Imperial officer to Buluwayo to see, that my orders are obeyed and to prevent the possibility of any further raid, and your Honour may rest confident that I will strictly uphold all the obligations of the London Convention of 1884.

Nr. 10863. GROSSBRITANNIEN. — Der Kolonialminister an den Gouverneur in Kapstadt. Massregeln zur Verhütung weiterer Unruhen.

Sent 8.37 p. m., 5th January 1896.

Nr. 10863. Grossbritannien. 5. Jan. 1896. Telegraphic. || 5th January.—No. 6. Private individuals are coming here from hour to hour with private letters from relatives which when pieced together give reason for supposing that there may yet be armed bodies of men with artillery which might attempt to retrieve Jameson's disaster from Kimberley or Mafeking. Unless you are positive, that such is impossible, you are authorised to send troops to Mafeking at once with orders to prevent further filibustering. War Office are sending corresponding instructions to Officer Commanding Troops. || Krüger appears to think, that further filibustering is contemplated from Buluwayo. A high military officer should therefore follow Ashburnham as quickly as possible. The Officer Commanding Troops Mafeking and the military officer who goes to Buluwayo should require in the Queen's name the British South Africa Company's officer to hand over to them the custody for the present of all ordnance and reserve ammunition. Tell Rhodes Her Majesty's Government consider these measures absoluty necessary, and request him to telegraph to his officers to comply with all orders from Deputy Commissioner. The British South Africa Company, who appear to have no control over their officers, are interested as much as Her Majesty's Government in averting any further headstrong action.

Nr. 10864. GROSSBRITANNIEN. — Der Gouverneur in Kapstadt an den Kolonialminister. Aufregung in Johannesburg.

Pretoria; received 1.8 a. m., 6th January 1896.

Nr. 10864. Grossbritannien. 5. Jan. 1896. Telegraphic. || 5th January.—Nr. 3. Arrived here last night. Position of affairs very critical on side of Government of South African Republic and of Orange Free State. There is desire to show moderation; but Boers show tendency to get out of hand and to demand execution of Jameson. I am told, that Government of South African Republic will demand disarmament of Johannesburg as a condition precedent to negatiations. Their military preparations are now practically complete, and Johannesburg, if besieged, could not hold out, as they are short of water and coal. On side of Johannesburg, leaders desire to be moderate; but men make safety of Jameson and concession of items in manifesto issued conditions precedent to disarmament. If these are refused, they assert they will elect their own leaders and fight it out in their

own way. As the matter now stands, I see great difficulty in avoiding civil war; but I will do my best and telegraph result of my official interview to-morrow. It is said, that President of the South African Republic intends to make some demands with respect to Article No. IV. of the London Convention of 1884.

Nr. 10864. Grossbritannien. 5. Jan. 1896.

Nr. 10865. GROSSBRITANNIEN. — Derselbe an Denselben. Rhodes tritt zurück.

Pretoria; received 1.9 a. m., 6th January 1896.

Telegraphic. || 5th January.—No. 4. C. J. Rhodes telegraphs to me, that he finds the present position of affairs so strained that he thinks I should accept his resignation. His colleagues in the Ministry, I understand, are all of the same opinion. Acting on suggestions from Rhodes, I have invited Sir Gordon Sprigg to undertake task of formation of new Ministry.

Nr. 10865. Grossbritannien. 5. Jan. 1896.

Nr. 10866. GROSSBRITANNIEN. — Der Geschäftsträger in Petermoritzburg an den Kolonialminister. Berichte der Buren über das Gefecht.

Received 12.45 noon, 6th January 1896.

Telegraphic. || Boers' account from Johannesburg states, that Jameson's number of killed is 130 and the wounded are 37; Boers' number of killed is 3 and the wounded are 5. I am informed, that all press telegrams and private telegrams from Johannesburg are inspected by Government of South African Republic and many mutilated. || I issued Proclamations 2nd and 4th January drawing attention to Natal Law No. 21, 1875, and notifying that it would be enforced in Natal and Zululand respectively.

Nr. 10866. Grossbritannien. 6. Jan. 1896.

Nr. 10867. GROSSBRITANNIEN. — Der Kolonialminister an den Gouverneur in Kapstadt. Gewaltmassregeln gegen Johannesburg sind unnöthig.

Sent 6.20 p. m, 6th January 1896.

Telegraphic. || 6th January.—No. 3. It is reported in the press telegrams the President of the South African Republic on the 30th December held out definite hopes, that concessions would be proposed in regard to education and the franchise. No overt act of hostility appears to have been committed by the Johannesburg people since the overthrow of Jameson. The statement that arms and ammunition are stored in that town in large quantities may be only one of many boasts without foundation. Under these circumstances, active measures against the town do not seem to be urgently required at the present moment, and I hope no step will be taken by the President of the South African Republic liable to cause more bloodshed and excite civil war in the Republic.

Nr. 10867. Grossbritannien. 6. Jan. 1896.

Nr. 10868. **GROSSBRITANNIEN.** — Derselbe an Denselben. Wünscht Aufklärung über die Rüstungen Jameson's.

Sent 6.45 p. m., 6th January 1896.

Nr. 10868. Gross-britannien. 6. Jan. 1896.

Telegraphic. || 6th January.—No. 4. The question is being asked here in many quarters whether the Colonial Office and the High Commissioner knew of the unusual concentration of stores and men on the borders of the South African Republic, and, if so, why they did not stop it. || It was known to me, that men were required to guard the railway and also that the British Bechuanaland Police came to Mafeking for the purpose of being selected and engaged by the British South Africa Company; but I did not know, that Dr. Jameson was engaging other new men, or that three additional troops had been brought from Buluwayo under the Honorable—White, which reached Pitsani about 13th December. Did President Krüger know of this concentration, and, if so, why did he not ask for your interference? || I should be glad if you could send me any additional information which would throw light on these points.

Nr. 10869. **GROSSBRITANNIEN.** — Der Gouverneur in Kapstadt an den Kolonialminister. Präsident Krüger fordert bedingungslose Unterwerfung Johannesburgs.

Pretoria; received 12.45 a. m, 7th January 1896.

Nr. 10869. Gross-britannien. 6. Jan. 1896.

Telegraphic. || 6th January.—No. 2. Met President South African Republic and Executive Council to-day. Before opening proceedings I expressed on behalf of Her Majesty's Government my sincere regret at the unwarrantable raid made by Jameson: also thanked Government of South African Republic for the moderation shown under trying circumstances. With regard to Johannesburg, President of South African Republic announced decision of Government to be be that Johannesburg must lay down its arms unconditionally as a precedent to any discussion and consideration of grievances. I endeavoured to obtain some indication of the steps which would be taken in the event of disarmament but without success, it being intimated that Government of South African Republic had nothing more to say on this subject than had been already embodied in Proclamation of President the South African Republic. I inquired whether any decision had been come to as regards disposal of prisoners and received a reply in the negative. President South African Republic said, that, as his Burghers to number of 8000 had been collected and could not be asked to remain indefinitely, he must request a reply, yes or no, to this ultimation within twenty-four hours. I have communicated decision of Government of South African Republic to Reform Committee at Johannesburg through British Agent in South African Republic. || The Burgher levies are in such an excited state over the invasion of their country that I believe President of South African Republic could not control them except in

the event of unconditional surrender. I have privately recommended them to accept ultimatum. Proclamation of President of South African Republic refers to promise to consider all grievances which are properly submitted and to lay the same before the Legislature without delay.

Nr. 10869. Grossbritannien. 6. Jan. 1896.

Nr. 10870. GROSSBRITANNIEN. — Derselbe an Denselben. Antwort auf Nr. 10863.

Pretoria, received 3.40 a. m., 7th January 1896.

Telegraphic. || 6th January.—No. 4. Having communicated your telegram of 5th January No. 6 to British South Africa Company, I have received following reply: — || Begins: There is no truth in any such statements. As regards Kimberley and Mafeking, its absurdity is its best refutation. As regards Salisbury and Buluwayo, I have wired as follows: — || Commences: I am desired by High Commissioner to request you, in the Queen's name, to comply with the following instructions, viz: You are to cail upon the officers in the Company's service in charge of ordnance and reserve ammunition to hand it over for the present to the custody of an officer now being sent to Buluwayo for this purpose by Her Majesty's Government. Ends. || Four days ago orders were sent to Acting Administrator and to Civil Commissioner, Buluwayo, calling upon all citizens to maintain law and order, and to abstain from any movement. These orders have been faithfully obeyed by the inhabitants of Rhodesia, who are quite under the control of their officers. I should be glad therefore if you would inform Secretary of State for the Colonies of this, as it is important: the feeling of suspense and excitement will be allayed everywhere and especially in Rhodesia the moment it is known Dr. Jameson and his companions have been released. Kindly acknowledge receipt of this wire. Ends.

Nr. 10870. Grossbritannien. 6. Jan. 1896

Nr. 10871. GROSSBRITANNIEN. — Der Kolonialminister an die Regierung in Kapstadt. Strenge Untersuchung des Freibeuterzuges.

Sent 1.35 p. m., 7th January 1896.

Telegraphic. || Deliver following message to J. H. Hofmeyr: — || Begins: Thanks for letter and offer of co-operation for common objects, which I cordially accept. || There shall be full inquiry into the circumstances of the late raid upon Transvaal territory, and steps will be taken to make it impossible for such attempts to be planned or executed in future. || My present chief object is to prevent further embitterment of relations between British and Dutch which might result from extreme measures against either Johannesburg or prisoners. || Please telegraph this to High Commissioner to save time, and publish.— J. Chamberlain. Ends.

Nr. 10871. Grossbritannien. 7. Jan. 1896.

Nr. 10872. GROSSBRITANNIEN. — Der Gouverneur in Kapstadt an den Kolonialminister. Ultimatum an Johannesburg.

Pretoria; received 4.45 p. m., 7th January 1896.

Nr. 10872. Gross-britannien. 7. Jan. 1896.

Telegraphic. || 7th January.—No. 1. I would be most inexpedient to send troops to Mafeking at this moment, and there is not the slightest necessity for such a step, as there is no danger from Kimberley Volunteer Corps or from Mafeking. || I have sent De Wet with ultimatum this morning to Johannesburg, and believe arms will be laid down unconditionally. I understand in such case Jameson and all prisoners will be handed over to me. || Prospect now very hopeful if no injudicious steps are taken. Please leave matter in my hands. (Chamberlain stimmte noch an demselben Tage telegraphisch zu. Red.)

Nr. 10873. GROSSBRITANNIEN. — Der Gouverneur in Kapstadt an den Kolonialminister. Johannesburg nimmt das Ultimatum an.

Pretoria; received, 11 p. m., 7th January 1896.

Nr. 10873. Gross-britannien. 7. Jan. 1896.

Telegraphic. || 7th January. — No. 3. I need now only say, that I have just received a message from Reform Committee resolving to comply with demand of Government of South African Republic to lay down their arms; the people of Johannesburg placing themselves [? and] their interests unreservedly in my hands in the fullest confidence that I will see justice done to them. I have received also the following from British Agent: —

Begins: 7th January. I have sent the following telegram to his Honour the President: || Begins: I have met the Reform Committee. Am gratified with the spirit shown in the discussion of the all-important present position. The Committee handed me the following resolution: — Begins: The Reform Committee in Johannesburg, having seriously considered the ultimatum of the Government of the South African Republic, communicated [?] to them through Her Majesty's Agent at Pretoria, in a telegram dated 6th instant, to the effect that Johannesburg must lay down its arms as a condition precedent to a discussion and consideration of grievances, have unanimously decided to comply with this demand, and have given instructions to the citizens employed by this Committee for maintaining good order to lay down their arms. In coming to this determination the Committee rely upon the Government that I [it?] will maintain law and order and protect life and property in this town at this critical juncture. The Committee have been actuated by a paramount desire to do everything possible to ensure the safety of Dr. Jameson and his men, to advance the amicable discussion of terms of settlement with the Government, and to support the High Commissioner in his efforts in this respect. The Committee would draw the attention of the Government of the Republic to the presence of armed Burgher forces in the immediate vicinity

of this town, and would earnestly desire that these forces be removed in order to avoid all risk of any disturbance of the public peace. Resolution Ends. I wish to add to my above remarks, that I feel convinced there will be no further difficulty in connection with the laying down of their arms. I would suggest that the Government co-operate with the Reform Committee for a day or two for the purpose of restoring the town to its normal state. This will only take a day or two, and those who are excited among the people will by that time have calmed down and the police can resume their ordinary duties. The Committee will co-operate in this matter. This course will very much facilitate the task of your Government if it meets with your approval. Ends.

Nr. 10873. Grossbritannien. 7. Jan. 1896.

I hope now to be able to confer with President of the South African Republic and Executive Council as to prisoners and the redress of Johannesburg grievances.

Nr. 10874. **GROSSBRITANNIEN.** — Derselbe an Denselben. Johannesburg hat sich ergeben. Auslieferung der Gefangenen.

Pretoria; received 10.35 a. m., 8th January 1896.

Telegraphic. || 7th January. — No. 7. Johannesburg surrendered unconditionally this afternoon, and arms were given up. President of the South African Republic has intimated his intention to hand over Jameson and the other prisoners to High Commissioner on the border of Natal. You may therefore feel satisfied, that the crisis is over, and that all danger of further hostilities is at an end.

Nr. 10874. Grossbritannien. 7. Jan. 1896.

Nr. 10875. **GROSSBRITANNIEN.** — Der Kolonialminister an den Gouverneur in Kapstadt. Dank an Präsident Krüger.

Sent 4.50 p. m., 8th January 1896.

Telegraphic. || 8th January. — No. 3. Give the following message to the President of the South African Republic from me: — || "I have received the Queen's commands to acquaint you, that Her Majesty has heard with satisfaction that you have decided to hand over the prisoners to Her Government. || "This act will redound to the credit of your Honour, and will conduce to the peace of South Africa and to that harmonious co-operation of the British and Dutch races which is necessary for its future development and prosperity."

Nr. 10875. Grossbritannien. 8. Jan. 1896.

Nr. 10876. **GROSSBRITANNIEN.** — Der Gouverneur in Kapstadt an den Kolonialminister. — Schwierigkeiten in der Uebergabe Johannesburgs.

Pretoria; received 1.0 p. m., 9th January 1896.

Nr. 10876. Grossbritannien. 8. Jan. 1896.

Telegraphic. || 8th January. — No. 3. Since my telegram No. 1 of this morning, matters have not been going so smoothly. When the Executive

Nr. 10876. Grossbritannien. 8. Jan. 1896.

Council met I received a message that only 1,814 rifles and three Maxim guns had been surrendered, which the Government of the South African Republic did not consider a fulfilment of the ultimatum, and orders would be immediately issued to a commando to attack Johannesburg. I at once replied, that the ultimatum required the surrender of guns and ammunition for which no permit of importation had been obtained, and that onus rested with Transvaal Government to show that guns and ammunition were concealed for which no permit had been issued. If before this was done any hostile step were taken against Johannesburg I should consider it to be a violation of the undertaking for which I had made myself personally responsible to the people of Johannesburg, and I should leave the issue in hands of Her Majesty's Government. This had a sobering effect and the order for the attack on Johannesburg was countermanded, and it was arranged that the Transvaal officials should accompany Her Majesty's Agent to Johannesburg and point out to him, if they could, where arms were concealed. Her Majesty's Agent left at 1 p. m. to-day for Johannesburg for this purpose. || The explanation of the change, I take it, is that Krüger has great difficulties to contend with among his own people. The apparent object is to prove, that people of Johannesburg have not fulfilled the conditions which were to precede the handing over of the prisoners and consideration of grievances. I should not be surprised if, before releasing the prisoners or redressing grievances, an attempt were now made to extort an alteration of the London Convention of 1884, and the abrogation of Article No IV of that instrument. I intend, if I find that the Johannesburg people have substantially complied with the ultimatum, to insist on the fulfilment of promises as regards prisoners and consideration of grievances, and will not allow at this stage the introduction of any fresh conditions as regards the London Convention of 1884. Do you approve? (Chamberlain stimmte am 9. telegraphisch zu. Red.)

Nr. 10877. GROSSBRITANNIEN. — Derselbe an Denselben. In Rhodesia ist alles ruhig.

Pretoria; received 1.15 p. m., 9th January 1896.

Nr. 10877. Grossbritannien. 8. Jan. 1896.

Telegraphic. || 8th January. — No. 4. Following telegram from Acting Administrator Matabeleland received this evening: — || Begins: 8th January. While the public of Rhodesia naturally full of sympathy personally for Dr. Jameson and his men, they are fully under control of local Administration and are loyally obeying your Proclamation and my notice requiring strict neutrality, and also all your instructions, of those of Board of Directors, and of Capetown representatives of Company. There is absolutely no truth in any rumours of hostile movement in Rhodesia against South African Republic. I urgently request your Excellency to inform Secretary of State for the Colonies of these facts by cable. Ends. || You will, I am sure, consider this very satisfactory.

Nr. 10878. **GROSSBRITANNIEN.** — Derselbe an denselben. Die Johannesburger Schwierigkeiten beseitigt.

Pretoria; received 1.17 p. m., 9th January 1896.

Nr. 10878. Gross-britannien. 9. Jan. 1896.

Telegraphic. || 9th January. — No. 1. Referring to my telegram of 8th January, I now learn, that yesterday's hitch was due to previous boasting of Uitlanders themselves, who had stated they had over 20,000 rifles, with cannon. When, therefore, only 1,800 rifles were surrended, and no cannon, the Boers thought the Uitlanders were acting in bad faith, and threatened to get out of hand. They have however been restrained by President of South African Republic, and I believe it will to-day be admitted by Government that Johannesburg has practically complied with ultimatum.

Nr. 10879. **GROSSBRITANNIEN.** — Der Kolonialminister an den Gouverneur in Kapstadt. Wünscht weitere Erklärung über die Rüstungen Jameson's.

Sent 5.50 p. m., 9th January 1896.

Nr. 10879. Gross-britannien. 9. Jan. 1896.

Telegraphic. || 9th January. — . . . Further please say: Did the officers and men know for what purpose they were assembled? What was the strength of the force which came down from Matabeleland in October to occupy Ikaning and Montsioa's district? Did they have ordnance? Did they remain in Ikaning's country, or did they concentrate at Pitsani Potlogo? If so, did you know of it? I presume you knew nothing of the Honourable — White bringing down three fresh troops in the middle of December. What was strength of Company's force in Protectorate on, say, the 1st December, and what additions were afterwards made by recruiting or fresh arrivals from Matabeleland other than Bechuanaland Border Police taken over? Authorise Newton to telegraph any facts to me direct, as time is all-important.

Nr. 10880. **GROSSBRITANNIEN.** — Der Gouverneur in Kapstadt an den Kolonialminister. Uebersendet die Antwort Präsident Krügers auf Nr. 10875.

Pretoria; received 11.30 p. m., 9th January 1896.

Nr. 10880. Gross-britannien. 9. Jan. 1896.

Telegraphic. || 9th January. — No 5. I have received following from President South African Republic: — || Begins: I have the honour to acknowledge the receipt of your Excellency's letter of to-day with copy enclosed therein of a telegram received by your Excellency from the Secretary of State for the Colonies requesting your Excellency by command of Her Majesty the Queen to inform me of a message in which Her Majesty expresses her satisfaction at my decision to hand over the prisoners to Her Majesty's Government. As I had already caused your Excellency [to?] be informed, it is really my intention to act in this sense so that Dr. Jameson and the British subjects who were under his command may then be punished by Her Majesty's Govern-

Nr. 10880. Grossbritannien. 9. Jan. 1896.

ment, and I will make known to your Excellency the final decision in this matter as soon as Johannesburg shall have reverted to a condition of quietness and order. In the meantime I have to request your Excellency to assure Her Majesty the Queen of my high appreciation of her words and in proffering her my respectful good wishes to express my thanks for the same. S. J. P. Krüger, State President. Ends.

Nr. 10881. GROSSBRITANNIEN. — Derselbe an Denselben. Bittet um Instruktionen für den Fall der Auslieferung der Gefangenen.

Pretoria; received 2.15 a.m., 10th January 1896.

Nr. 10881. Grossbritannien. 9. Jan. 1896.

Telegraphic. || 9th. January.—No. 3. I expect, that to-morrow or next day President of South African Republic will intimate his readiness to hand over all prisoners to me at the Natal border, and will inquire how Her Majesty's Government propose to deal with them. I should be glad to receive, therefore, as soon as possible, an expression of your views on the subject. My idea is, that Jameson and all commissioned officers of Her Majesty's Regular Forces and Reserve Forces, to about the number of ten, should be sent from Durban to England as prisoners in a man-of-war, to be there dealt with as Her Majesty's Government may decide. That the junior police officers and non-commissioned officers and men, to about the number of 400, should be sent to some place in Natal, probably Charlestown, to be placed there under military escort, until paid off in detachments [of men] of twenty men at a time, sent to their homes in an undemonstrative manner. Details as to mode of temporary accommodation in Natal, conveyance through, and embarkation from that Colony, I would settle with Governor Natal and General Officer Commanding, the former of whom I propose to invite, with consent of President of South African Republic, to come up here and confer with me on the subject. It will be easy to arrange, that Jameson and his party should proceed to Durban from Charlestown by special train, embarking at daylight some morning without notice.

Nr. 10882. GROSSBRITANNIEN. — Derselbe an Denselben. Antwort auf Nr. 10879.

Received 3 25 p.m., 10th January 1896.

Nr. 10882. Grossbritannien. 10. Jan. 1896.

Telegraphic. || 10th January.—No. 1. 8 o'clock a.m. Your telegram 9th January received. I knew nothing personally of unusual concentration of men and stores on Transvaal border except as follows: When Ikaning's and Montsioa's districts were transferred to British South Africa Company, I heard that Company were bringing down two troops from Buluwayo to Pitsani. I asked Mr. Rhodes why this was being done and he told me it was to protect railway line and for economy, as troops could be kept there at half the

expense. I never heard, that this force had ordnance. Bechuanaland Border Police where ordered to concentrate at Mafeking to carry out the arrangements for their transfer to British South Africa Company, made by you in London. I know nothing of White bringing down three fresh troops in middle of December. I do not know strength of British South Africa Company's force on 1st December or what additions were afterwards made by recruiting of [? or] fresh arrivals from Matabeleland other than Bechuanaland Border Police taken over, but will telegraph to Newton to ascertain and let you know direct. || The total strength of Jameson's force was 510. Of these, 122 came from Bechuanaland Border Police. I am told, that the junior officers and men did not know for what purpose they were assembled nor the destination of the raid until they entered the Transvaal, it being stated that the object was to punish a native Chief, Lenchwe. The secret seems to have been well kept. President of South African Republic apparently did not know of concentration and did not ask me to interfere.

Nr. 10882. Grossbritannien. 10. Jan. 1896.

Nr. 10883. **GROSSBRITANNIEN.** — Der Kolonialminister an den Gouverneur in Kapstadt. Antwort auf Nr. 10881.

Sent 6.35 p. m., 10th January 1896.

Telegraphic. || 10 January.—No. 2. Tell President South African Republic, that, in accordance with my telegram to you of 4th January, No. 6, the leaders will be dealt with on arrival here. || I approve your proposals contained in your telegram No. 3, 9th January; but before taking delivery of prisoners you should get promise of Jameson and other leaders that they will proceed through Natal to England as prisoners to be dealt with as Her Majesty's Government may decide, without raising any questions as to custody while on the way. If other civilian prisoners have taken any prominent part in organising or directing the raid they should be joined with Jameson and sent home under similar conditions.

Nr. 10883. Grossbritannien. 10. Jan. 1896.

Nr. 10884. **GROSSBRITANNIEN.** — Der Gouverneur in Kapstadt an den Kolonialminister. Frage der Auslieferung.

Received 6.45 p. m., 10th January 1896.

Telegraphic. || 10th January.—No. 2. Most urgent. After refusing for several days to allow me to make necessary arrangements on border of Natal for reception of prisoners, Government of South African Republic this morning have sent to me to say that they desire the prisoners to proceed at once to Volksrust on the border of Natal, where they wish me to take them over at the earliest possible moment. I have telegraphed for Governor of Natal and General Cox to come here by special train to make necessary arrangements; but a serious difficulty has arisen about which I must ask for immediate instructions. President of South African Republic says, that it is

Nr. 10884. Grossbritannien. 10. Jan. 1896.

Nr. 10884. Gross-britannien. 10. Jan. 1896.

the decision of Executive Council that the whole of the prisoners, except Transvaal and Orange Free State subjects, whom he retains, should be sent to England to be tried according to English law. It has been pointed out that it was only contemplated to send the officers for trial, to which he replied, in such case the whole questions must be reconsidered. I should like to have the decision of Her Majesty's Government as to how the prisoners will be dealt with if handed over. It is the opinion of Sir Jacobus de Wet and Sir Graham Bower, who were present at the interview this morning, that if the whole be not sent home to be dealt with according to English law they will be tried here, with a result which I fear will be deplorable.

Nr. 10885. GROSSBRITANNIEN. — Derselbe an Denselben. Proklamation des Präsidenten Krüger an die Johannesburger.

Received 7.30 a. m., 11th January 1896.

Nr. 10885. Gross-britannien. 10. Jan. 1896.

Telegraphic. || 10th January.—No. 4. In Proclamation issued to-day, President South African Republic addresses inhabitants of Johannesburg, and after reviewing recent events proceeds as following: — || Now I adress you with full confidence [? words omitted] strengthen the hands of the Government and work together with them to make this Republic a country where all inhabitants so, to say live, fraternally together. For months and months I have thougtht which alterations and amendations would be desirable in the Government of this State; but the unwarrantable instigations, especially of the press, have kept me back. The same men who now appear in public as the leaders have demanded amendments from me in a time and manner which they should not have dared to use in their own country out of fear of the penal law. Through this it was made impossible to me and my Burghers, the founders of this Republic, to take your proposals into consideration. It is my intention to submit a draft Law at the first ordinary Session of the Volksraad, whereby a Municipality with a Mayor at its head will be appointed for Johannesburg, to whom the whole Municipal Government of this town will be entrusted. According to all constitutional principles such a Municipal Council should be appointed by the election of the inhabitants. I ask you earnestly with your hand upon your heart to answer me this question: Dare I and should I after all that has happened propose such to the Volksraad? What I myself answer to this question is, I know that there are thousands in Johannesburg to whom I can with confidence entrust this right to vote in municipal matters. Inhabitants of Johannesburg make it possible for the Government to appear before the Volksraad with the motto "Forget and forgive."

S. J. P. Krüger, State President.

Nr. 10886. GROSSBRITANNIEN. — Derselbe an Denselben. Beschluss der südafrikanischen Republik über die Auslieferung.

Pretoria, Received 7.10 a. m., 11th January 1896.

Nr. 10886. Gross-britannien. 10. Jan. 1896.

Telegraphic. || 10th January.—No. 5. Since my telegram of [?] this morning No. 2 I have received following letter from Government South African Republic:— || Begins: With reference to his Honour the State President's letter to your Excellency of yesterday's date in which his Honour makes known his intentions later on acquaint your Excellency with the decision regarding Dr. Jameson, his officers and men, subjects of Her Britannic Majesty, I am now directed by his Honour and the Executive Council to acquaint your Excellency with the following: Dr. Jameson with his officers and men subjects of Her Britannic Majesty will, under the escort and safekeeping of this Government, be conveyed as prisoners to Volksrust and the border of South African Republic in the neighbourhood of Volksrust. They will have to remain there until they can and shall be taken over as prisoners by or through [out] the British Government, under custody of a proper guard, and this Government suggests that this guard shall consist, as far as possible, of police and not of soldiers. They will have to be conveyed from Pretoria to England without any demonstration. They will have to be conveyed, as prisoners, to Durban, Natal, and on a British man-of-war to England, and in England will have to be tried and punished. Their taking over by or through the British Government will have to take place as soon as possible. The sub-officers and men will first be conveyed. Dr. Jameson and his officers to follow as soon as the Government becomes informed when all can together be taken over on the Border. I am instructed respectfully to request from your Excellency an answer to this letter. Ends.

Nr. 10887. GROSSBRITANNIEN. — Der Kolonialminister an den Gouverneur in Kapstadt. Ist verwundert über die Verzögerung der Auslieferung.

Sent 2.5 p. m., 11th January 1896.

Nr. 10887. Gross-britannien. 11. Jan. 1896.

Telegraphic. || 11th January.—No. 3. Referring to your telegrams of 10th January Nos. 2 and 5, astonished that Council should hesitate to fulfil the engagement which we understood was made by President with you, and confirmed by the Queen, on the faith of which you secured disarmament of Johannesburg. Any delay will produce worst impression here, and may lead to serious consequences. I have already promised, that all the leaders shall be brought to trial immediately; but it would be absurd to try the rank and file, who only obeyed orders which they could not refuse. If desired, we may, however, engage to bring to England all who are not domiciled in South Africa; but we cannot undertake to bring all the rank and file to trial, for

Nr. 10887. Gross-britannien. 11. Jan. 1896. that would make a farce of the whole proceedings and is contrary to the practice of all civilized Governments. As regards a pledge that they shall be punished, the President will see, on consideration, although a Government can order a prosecution it cannot in any free country compel a conviction. You may remind him, that the murderers of Major Elliott who were tried in the Transvaal in 1881 were acquitted by the jury of Burghers. Compare also the treatment by us of Stellaland and other freebooters.

Nr. 10888. GROSSBRITANNIEN. — Der Gouverneur in Kapstadt an den Kolonialminister. Auslieferungsfrage.

Pretoria; received 5.45 p. m., 11th January 1896.

Nr. 10888. Gross-britannien. 11. Jan. 1896. Telegraphic. || 11th January.—No. 3. President of South African Republic sent De Wet to me this morning to say he is most anxious for a reply to his letter which accompanied my telegram to you of yesterday No. 5. I desired De Wet to tell him it had gone to you in extenso and he should be informed as soon as ever I heard from you. I told him at the same time to mention what your view and mine had been as to disposal of prisoners. President South African Republic said he and his Executive and his Burghers were unanimously of opinion that the whole of the prisoners who are British subjects should in the first instance be sent to England; he was satisfied to leave question as to whether they should be sent back here or punished or not to your judgment, but that they must be deported from South Africa as a first step he considered imperative.

Nr. 10889. GROSSBRITANNIEN. — Derselbe an Denselben. Die südafrikanische Republik fordert Auskunft über die Bildung des fliegenden Geschwaders.

Pretoria; received 7.4 p. m., 11th January 1896.

Nr. 10889. Gross-britannien. 11. Jan. 1896. Telegraphic. || 11th January.—No. 5. I have received the following letter from Government of the South African Republic. Begins: 11th January. I have received instructions to draw attention of your Excellency to the report which has by means of press telegrams from London in which amongst others following appears: New flying squadron consists "Revenge", "Royal Oak", "Theseus", under Captain Campbell; "Gibraltar", "Hermione", "Charybdis", Rear-Admiral Dale commanding; greatest activity prevails dockyards; "Times" states "Phoebe", "Sappho", "Barrosa" ordered from Zanzibar proceed Delagoa. This Government would be glad to know from your Excellency whether this report is true, and if so, should there exist no objections to this, to learn further from your Excellency with what object and designs this dispatch of men-of-war took place and what destination they have. Ends. || Shall be glad to receive instructions as to the reply to be given to President of South African Republic.

Nr. 10890. GROSSBRITANNIEN. — Der Kolonialminister an den Gouverneur in Kapstadt. Antwort auf das Vorige.

Sent 11.50 p. m., 11th January 1896.

Nr. 10890. Grossbritannien. 11. Jan. 1896.

Telegraphic. || 11th January. — No. 4. Referring to your telegram of 11th January No. 5. You may acquaint President of the South African Republic, that the three smaller ships are going to Delagoa Bay, where there are already men-of-war of other nations. || The Flying Squadron has been commissioned to provide for any eventualities which may arise; but Her Majesty's Government have no present intention of sending it into South African waters.

Nr. 10891. GROSSBRITANNIEN. — Derselbe an Denselben. Soll der südafrikanischen Republik Konzessionen an die Ausländer empfehlen. Grossbritannien wird keine Aenderung in seinen Beziehungen zur Republik dulden.

Sent 3.15 p. m., 13th January 1896.

Nr. 10891. Grossbritannien. 13. Jan. 1896.

Telegraphic. || 13th January. — No. 1. Now that Her Majesty's Government have fulfilled their obligations to the South African Republic, and have engaged to bring the leaders in the recent invasion to trial, they are anxious that the negotiations which are being conducted by you should result in a permanent settlement by which the possibility of further internal troubles will be prevented. The majority of the population is composed of Uitlanders and their complete exclusion from any share in the government of the country is an admitted grievance which is publicly recognised as such by the friends of the Republic as well as by the opinion of civilised Europe. There will always be a danger of internal disturbance so long as this grievance exists, and I desire that you will earnestly impress on President Krüger the wisdom of making concessions in the interests alike of the South African Republic and of South Africa as a whole. || There is a possibility, that the President might be induced to rely on the support of some foreign Power in resisting the grant of reforms or in making demands upon Her Majesty's Government; and in view of this I think it well to inform you, that Great Britain will resist at all costs the interference of any foreign Power in the affairs of the South African Republic. The suggestion that such interference was contemplated by Germany was met in this country by an unprecedented and unanimous outburst of public feeling. || In order to be prepared for all eventualities, it has been thought desirable by Her Majesty's Government to commission a Flying Squadron of powerful men-of-war, with twelve torpedo-ships; and many other vessels are held in reserve.

Her Majesty's Government have no reason, at the present moment, to anticipate any conflict of interest with foreign Powers; but I think it right for you to know, that Great Britain will not tolerate any change in her relations with the Republic, and that, while loyally respecting its internal

Nr. 10891. Grossbritannien. 13. Jan. 1896.

independence, subject to the Conventions, she will maintain her position as the Paramount Power in South Africa, and especially the provisions of Article IV. of the Convention of 1884. || It is my sincere hope, that President Krüger, who has hitherto shown so much wisdom in dealing with the situation, will now take the opportunity afforded to him of making of his own free will such reasonable concessions to the Uitlanders as will remove the last excuse for disloyalty, and will establish the free institutions of the Republic on a firm and lasting basis. || You will recollect that promises have before been made to the Uitlanders, which unfortunately have not been fulfilled. I trust the President will now see his way to repeat these promises to you as the Representative of the Paramount Power; and in this case he may rely upon the sincere friendship of Her Majesty's Government, and on their determination that all external action against the independence of the Republic shall be prevented.

Nr. 10892. **GROSSBRITANNIEN.** — Der Gouverneur in Kapstadt an den Kolonialminister. Der Orange-Freistaat wünscht Beseitigung der Charter der britischen südafrikanischen Gesellschaft.

Pretoria; received 9.30 p. m., 13th January 1896.

Nr. 10892. Grossbritannien. 13. Jan. 1896.

Telegraphic. || 13th January. — No. 2. I have received following from Acting President of Orange Free State to-day: —

Begins: I have been requested by the Volksraad to acquaint your Excellency with the following Resolution: — || Translation begins: Volksraad resolves to request the Executive to enter into correspondence with his Excellency the High Commissioner and to call his Excellency's attention to the fact that, in the view of the Volksraad, the existence of Governments such as that of the British South Africa Company has proved to be and will in the future continue to be a great and threatening danger to the peace of the whole of South Africa, and that the Volksraad is of opinion that the peace and mutual confidence which should exist between the States and Colonies which has now been so severely shaken have little chance of being renewed and preserved before that the Charter of the said Company is cancelled and the Imperial Government or that of the Cape Colony shall take the direct responsibility of the government of the countries at present under the ruling of the British South Africa Company. Further, that the Executive shall in the meantime endeavour to obtain a guarantee from the Imperial Government that the peace of South Africa will not again be disturbed from these quarters. Ends. || Will your Excellency be kind enough to communicate the above to the Secretary of State for the Colonies? On your Excellency's arrival in Capetown I shall correspond with you further on this matter. By order: John Brebner, Acting Government Secretary. Ends.

Nr. 10893. **GROSSBRITANNIEN.** — Der Kolonialminister an den Gouverneur in Kapstadt. Wünscht Aufklärung über die Verhaftungen im Rand.

Sent 2.10 p. m., 14th January 1896.

Telegraphic. || 14th January. — No. 1. Press telegrams state numerous arrests of leading residents on the Rand, including many Americans, Germans, and other nationalities. Fear that number of these arrests of active managers representatives, may disorganize industry on the Rand. Wish to know of what accused, when brought to trial, whether bail allowed, and what penalties prescribed by law. Shall be glad to learn from President of South African Republic what his intentions are in this matter, which affects the subjects of so many States. Propose to communicate President's reply to American and Belgian Governments, which have already asked us to take charge of interests of their respective citizens.

Nr. 10893. Grossbritannien. 14. Jan. 1896.

Nr. 10894. **GROSSBRITANNIEN.** — Der Gouverneur in Kapstadt an den Kolonialminister. Gefahr weiteren Blutvergiessens vorüber; Vertagung des Volksraths.

Pretoria; received, 6 p. m., 14th January 1896.

Telegraphic. || 14th January. — No. 3. I have received a letter from Government of the South African Republic stating that, in their opinion, every reason exists for assuming that the complications at Johannesburg are approaching to an end, and that there need be no longer any fear of further bloodshed. The President of the South African Republic and Executive Council tender to me the warmest thanks of the Government of the South African Republic for the assistance I have been able to render in preventing further bloodshed, and their congratulations on the manner in which my object in coming has been fulfilled. They tender also their cordial acknowledgments of the services rendered by the British Agent at Pretoria, which I think is fully deserved. The Volksraad met yesterday and adjourned till May, the only business transacted being a vote of thanks to the Orange Free State and the High Commissioner for their efforts in promoting a peaceful settlement, which was carried by acclamation. I now only await settlement of prisoners difficulty to leave for Capetown, where my presence urgently needed in consequence of change of Ministers. Governor of Natal and General Cox are here, to whom I will give instructions as to reception and disposal of prisoners as soon as I hear from you.

Nr. 10894. Grossbritannien. 14. Jan. 1896.

Nr. 10895. **GROSSBRITANNIEN.** — Derselbe an denselben. Unterhandlung mit Krüger über die Auslieferung.

Pretoria; received, 8.45 p. m., 14th January 1896.

Telegraphic. || 14th January. — No. 1. Present position of prisoners question as follows: I communicated purport of your telegram of the 13th

Nr. 10895. Grossbritannien. 14. Jan. 1896.

Nr. 10895. Grossbritannien. 14. Jan. 1896.

[? 11th] January No. 3 to President, and he replies that the Government of South African Republic does not propose to lay any obstacle in the way of surrendering prisoners, but they only desire that the British Government places those persons, including the rank and file, on trial before a qualified Court, and, should they be found guilty, punish them according to law. He adds that the Government of South African Republic will place prisoners in the hands of British Government on the borders of Natal, according to his letter on 10th January which accompanied my telegram to you 10th January No. 5, and from that moment Government of South African Republic must be viewed as having laid all responsibility off its shoulders. || I have answered by letter dated 13th January repeating, that Her Majesty's Government are not prepared to bring rank and file to trial because, in their opinion, such a proceeding would be contrary to practice of all civilized Governments. I added that if with this understanding Government of South African Republic is willing to place prisoners in the hands of British Government at borders of Natal, they would be taken over and Government of South African Republic from that moment relieved from all responsibility as regards their disposal. I sent this letter last evening to President cf South African Republic by the hand of British Agent. || President of South African Republic states, that he was in the greatest embarrassment; he had stood out almost single-handed against his Executive Council and his Burghers, who were clamorous for the trial and punishment of prisoners in this country; that he had told them they would be tried and dealt with according to British law, and that if now they were to be told that rank and file are to be set at liberty his position would be untenable. || British Agent pointed out that President of South African Republic could not expect Home Government to act in a manner inconsistent with usages of all civilized Governments. || President of South African Republic replied, that by their laws these men could be all tried and punished, and he did not see how he could make his peace with the Burghers if on crossing the border they were set at liberty. || President of South African Republic has acted extremely well throughout this matter and is really in a position of great embarrassment. I think if all prisoners were sent to England and that it was then found that rank and file could nòt be tried his position would be made easier.

Nr. 10896. GROSSBRITANNIEN. — Derselbe an Denselben. Regelung der Auslieferungsfrage.

Pretoria; received, 12.5 a. m., 15th January 1896.

Nr. 10896. Grossbritannien. 14. Jan. 1896.

Telegraphic. || 14th January. — No. 6. I have just arranged with President South African Republic as follows: All prisoners to be taken over by Her Majesty's Government on the Natal border: Dr. Jameson and the leaders, about eleven in number, to be sent to England as prisoners for trial,

and any of the rank and file who are not domiciled in South Africa to be sent to England in custody to be there dealt with as Her Majesty the Queen shall see fit. Remainder of rank and file to be discharged in batches and sent to their homes in an undemonstrative manner. I have made all the arrangements with Hutchinson and Cox as to reception and disposal of prisoners on this basis. || In intimating your decision as to sea transport, please send duplicate of any message to me to Hutchinson direct so that he may act at once as to freighting steamer or otherwise. || I propose leaving at 7 o'clock this evening and hope to arrive at Capetown on Thursday evening; meanwhile telegrams will reach me en route. || Hutchinson and Cox will remain at border to take over prisoners and arrange for their disposal.

Nr. 10896. Grossbritannien. 14. Jan. 1896.

Nr. 10897. GROSSBRITANNIEN. — Der Kolonialminister an den Gouverneur in Kapstadt. Fordert Reformen in der südafrikanischen Republik.

Sent 1.55 p. m., 15th January 1896.

Telegraphic. || 15th January. — No. 1. I am left in great perplexity by your telegram No. 3 of the 14th instant, and fear that some previous telegrams must have miscarried. || Refer to my long telegram of 4th January, and my telegrams No. 3 of 6th January, Nos. 1 and 3 of 13th January, and No. 1 of 14th January; also to yours No. 2 of 6th January, No. 3 of 7th January, Nos. 1 and 3 of 8th January, and No. 4 of 10th January. I have received no reply to any of these telegrams from me; but I have assumed that negotiations were in progress between the President and yourself. || There can be no settlement until the questions raised by these telegrams are disposed of. The people of Johannesburg laid down their arms in the belief, that reasonable concessions would be arranged by your intervention; and until these are granted, or are definitely promised to you by the President, the root cause of the recent troubles will remain. || The President has again and again promised reform, and especially on the 30th December last, when he promised reforms in education and franchise; and grave dissatisfaction would be excited if you left Pretoria without a clear understanding on these points. Her Majesty's Government invite President Krüger, in the interests of the South African Republic and of peace, to make a full declaration on these matters. I am also awaiting a reply respecting the alleged wholesale arrests of English, Americans and other nationalities, made after the surrender of Johannesburg. || It will be your duty to use firm language, and to tell the President that neglect to meet the admitted grievances of the Uitlanders by giving a definite promise to propose reasonable concessions would have a disastrous effect upon the prospects of a lasting and satisfactory settlement. || Send me a full report of the steps that you have already taken with regard to this matter and of the further action that you propose.

Nr. 10897. Grossbritannien. 15. Jan. 1896.

Nr. 10898. GROSSBRITANNIEN. — Der Gouverneur in Kapstadt an den Kolonialminister. Antwort auf Nr. 10891.

Pretoria; received 2 p. m., 15th January 1896.

Nr. 10898. Gross-britannien. 15. Jan. 1896.

Telegraphic. || 15th January. — No. 1. Your telegram 13 January No. 1 only reached me last night after I had left Pretoria. I could, if you consider it desirable, communicate purport to President of South African Republic by letter; but I myself think such action would be inopportune moment. Nearly all leading Johannesburg men are now in gaol, charged with treason against the State, and it is rumoured that Government has written evidence of a long-standing and widespread conspiracy to seize Government of country on the plea of denial of political privileges, and to incorporate the country with that of British South Africa Company. The truth of these reports will be tested in the trials to take place shortly in the High Court, and meanwhile to urge claim for extended political privileges for the very men so charged would be ineffectual and impolitic. President of South African Republic has already promised municipal government to Johannesburg, and has stated in a Proclamation that all grievances advanced in a constitutional manner will be carefully considered and brought before the Volksraad without loss of time; but until result of trials is known nothing, of course, will now be done. Robinson (en route to Capetown).

Nr. 10899. GROSSBRITANNIEN. — Der Kolonialminister an den Gouverneur in Kapstadt. Antwort auf Nr. 10892.

Sent 5.25 p. m., 15th January 1896.

Nr. 10899. Gross-britannien. 15. Jan. 1896.

Telegraphic. || 15th January. — No. 2. Referring to your telegram of 13th January, No. 2, thank Orange Free State for their friendly resolution, and assure the Acting President that the whole matter is engaging my earnest consideration. || The Orange Free State may rest assured, that effective steps will be taken to render impossible any repetition of the late lamentable occurrences.

Nr. 10900. GROSSBRITANNIEN. — Derselbe an Denselben. Fordert Reformen in der südafrikanischen Republik.

Sent 7 p. m., 15th January 1896.

Nr. 10900. Gross-britannien. 15. Jan. 1896.

Telegraphic. || 15th January. — No. 5. Referring to your telegram No. 1 of the 15th January, see my telegram No. 1 of to-day which was sent before receipt of yours. I recognise, that the actual moment is not opportune for a settlement of the Uitlanders' grievances, and that the position of the President of the South African Republic may be an embarrassing one; but I do not consider, that the arrest of a few score individuals out of a population of 70,000 or more, or the supposed existence of a plot among that small minority, is a reason for denying to the overwhelming majority of innocent

persons reforms which are just in themselves and expedient in the interests of the Republic. Whatever may be said about the conduct of a few individuals, nothing can be plainer than that the sober and industrious majority refused to countenance any resort to violence, and proved their readiness to obey the law and your authority. I hope, therefore, to hear at an early date, that you propose to resume the discussion with President of South African Republic on lines laid down in my previous telegrams. I do not see, that the matter need wait until the conclusion of the trial of the supposed plotters. I am anxious to receive the information asked for in my telegram No. 1 of the 14th January. Please communicate at once with the President on this matter.

Nr. 10900. Grossbritannien. 15. Jan. 1896.

Nr. 10901. GROSSBRITANNIEN. — Der Gouverneur in Kapstadt an den Kolonialminister. Antwort auf Nr. 10893.

Springfontein; received 8.5 p. m, 15th January 1896.

Telegraphic. || 15th January. — No. 2. Your telegram of 14h January, No. 1. The accused are between fifty and sixty in number and are mostly members of Reform Committee. They have been arrested on charge of treason and of seeking to subvert the State by inviting the co-operation and entrance into it of an armed force. The proceedings are based, I understand, on sworn information, and the trials will take place before High Court. The accused are being well treated and are represented by able counsel. It is alleged that Government has documentary evidence of a widspread conspiracy to seize upon Government and make use of the wealth of the country to rehabilitate finances of British South Africa Company. On taking leave of President of South African Republic I urged on him moderation as regards the accused, so as not to alienate the sympathy he now enjoys of all right-minded persons. Bail is a matter entirely in the hands of Attorney-General. The Government seem acting within their legal rights, and I do not see how I can interfere. Mines are at work, and industry does not seem to be disorganized.

Nr. 10901. Grossbritannien. 15. Jan. 1896.

Nr. 10902. GROSSBRITANNIEN. — Derselbe an Denselben. Antwort auf Nr. 10897.

Worcester; received 7.50 p. m., 16th January 1896.

Telegraphic. || 16th January.— No. 1. Your telegram of 15th January No. 1 received. I cannot at this moment follow the complications arising from supposed missing and crossing telegrams, but can only say that no telegram which has reached me from you has remained unanswered. || No promise was made to Johannesburg by me as an inducement to disarm, except that the promises made in the President's previous proclamation would be adhered to and that Jameson and the other prisoners would not be transferred until Johannesburg had unconditionally laid down its arms and surrendered. I sent your long telegram of 4th January to President; but the question of concession to Uitlanders has never been discussed between us.

Nr. 10902. Grossbritannien. 16. Jan. 1896.

Nr. 10902. Grossbritannien. 16. Jan. 1896. Pending result of coming trials and the extent to which Johannesburg is implicated in the alleged conspiracy to subvert the State is made clear, the question of political privileges would not be entertained by Government of the South African Republic.

Nr. 10903. GROSSBRITANNIEN. — Derselbe an Denselben. Der gegenwärtige Moment ist den Konzessionen an die Ausländer ungünstig.

Paarl Station; received 10.50 p. m., 16th January 1896.

Nr. 10903. Grossbritannien. 16. Jan. 1896. Telegraphic. || 16th January.— No. 3. Your telegram of 15th January No. 5. If you will leave the matter in my hands I will resume advocacy of Uitlanders' claims at the first moment that I think it can be done with advantage; the present moment is most inopportune, as the strongest feeling of irritation and indignation against the Uitlanders exists both amongst the Burghers and Members of Volksraad of both Republics; any attempt to dictate in regard to the internal affairs of South African Republic at this moment would be resisted by all parties in South Africa, and would do great harm. || I have already replied in my telegram of 15th January No. 2 in answer to your telegram of 14th January No. 1, and I do not think it possible to obtain further information at this stage, the matter being sub judice.

Nr. 10904. GROSSBRITANNIEN. — Der Kolonialminister an den Gouverneur in Kapstadt. Warum hat der britische Agent Jameson nicht erreicht?

Sent 3. 40 p. m., 17th January 1896.

Nr. 10904. Grossbritannien. 17. Jan. 1896. Telegraphic. || 17th January. No. 1. Your telegram of 2nd January, No. 2. Report by telegram why it would have been impossible for British Agent to go to Jameson. Point has attracted attention here. Was it because he got your instructions too late or through physical difficulties?

Nr. 10905. GROSSBRITANNIEN. — Der Gouverneur in Kapstadt an den Kolonialminister. Antwort auf das vorige.

Received 11.30 p. m., 18th January 1896.

Nr. 10905. Grossbritannien. 17. Jan. 1896. Telegraphic. || 18th January.—No. 1. Your telegram No. 1, 17th January. Your telegram of 31st December received by me forenoon of 1st January. At 11.45 a. m. I sent extract to De Wet suggesting, that he should, if possible, act on your suggestion and go in person to stop Jameson; this he received 2.30 p. m., and he replied that he could not go himself. I telegraphed again same day saying I thought it a pity he did not make an effort to go, to which he replied on 2nd January that it was utterly impossible for him to have gone to Jameson, and if it had been possible his mission would have

proved futile, as fighting had commenced. This is the case, as fighting had commenced at Krügersdorp, 50 miles from Pretoria, at 2 o'clock on 1st January, before receipt by him of my first message.

Nr. 10905. Gross-britannien. 17. Jan. 1896.

Nr. 10906. **GROSSBRITANNIEN.** — Der Kolonialminister an den Gouverneur in Kapstadt. Hat Robinson ein Telegramm über Unruhen in Johannesburg erhalten?

Downing Street, January 18, 1896.

Sir, || I transmit to you a copy of a telegram, dated Johannesburg, the 31st of December 1895, which has appeared in the London Press, embodying a telegram undated, purporting to have been addressed to you from Johannesburg relative to certain orders alleged to have been given to a Burgher Commando. || As this telegram has given rise to a certain amount of comment, and as I may be questioned about it, I should be much obliged if you would inform me by telegraph — || (1.) Whether you received such a telegram? || (2.) If so, on what day and at what hour? || (3.) What action, if any, you took upon its receipt? J. Chamberlain.

Nr. 10906. Gross-britannien. 18. Jan. 1896.

Beilage.

Johannesburg, December 31, 1895.

The following telegram has been sent to Sir Hercules Robinson, as Her Majesty's High Commissioner for South Africa, by the Central Committee of the National Union: — || "We have absolute information, that large numbers of Boers have been commandeered to attack Johannesburg at once, and that they have been authorised by the Commandant-General to shoot at sight all who are concerned in the present agitation. Matters are so critical, that we call upon you again to intervene to protect the lives of citizens who for years have agitated consitutionally for their rights."

Nr. 10907. **GROSSBRITANNIEN.** — Der Gouverneur in Kapstadt an den Kolonialminister. Abreise Jamesons nach England.

Received 8.30 p. m., January 25, 1896.

Telegraphic. || January 25.—No. 4. Governor of Natal reports Jameson and 13 officers sent in „Victoria"; 23 officers and 301 rank and file proceed in "Harlech Castle" to England on January 27. 3 officers and 99 rank and file discharged and sent to their homes in South Africa. Captain Coventry still in hospital.

Nr. 10907. Gross-britannien. 25. Jan. 1896.

Nr. 10908. GROSSBRITANNIEN. — Der Agent in Pietermaritzburg an den Kolonialminister. Protest gegen das Telegramm des deutschen Kaisers.

Pietermaritzburg, received 9.20 p. m., January 25, 1896.

Nr. 10908. Gross-britannien. 25. Jan. 1896.

Telegraphic. || 25th January.— No. 1. I am desired by Mayor of Pietermaritzburg to forward to you following resolution which was unanimously adopted at a public meeting held in Town Hall, Pietermaritzburg, 24th January. About 1500 were present. || Resolution begins: — "That this meeting strongly resents the interference by the German Emperor in the affairs of South Africa, and thanks the Right Honourable Joseph Chamberlain, Secretary of State for the Colonies, for his declaration that British supremacy shall be maintained, and assures him of the loyal and active support of this Colony in a policy which will tend to the consolidation of the Empire, and the promotion of the best interest of the South African Colonies and States; and that this Worship the Mayor be requested to forward this Resolution to the Right Honourable the Secretary of State for the Colonies by cable.— Signed, Charles G. Levy, Mayor, Chairman."

Nr. 10909. GROSSBRITANNIEN. — Englische Bewohner von Johannesburg an den Kolonialminister. Beschwerden über die Buren.

Dated Charlestown. 10.30 a. m., January 27.
Received 7.45 a.m., January 28, 1896.

Nr. 10909. Gross-britannien. 27. Jan. 1896.

Telegraphic. || We would reiterate unswerving opinion without British Government firmly demand imperative reforms, create permanent peace, catastrophe certain. Boers unanimously against alteration; their arrogance weakening Transvaal executive control; unwarrantable indignities shown our women folk; we compelled represent collectively, otherwise arrest; commandine (? commanding) fort site here chosen by Executive with assistance German expect to enforce more rigorous rule; Native Pass Law has been applied to all English and will shortly be again in force; justly considered gross indignity; unemployed increasing.

Nr. 10910. GROSSBRITANNIEN. — Der Gouverneur in Kapstadt an den Kolonialminister. Südafrikanische Republik bietet ihre guten Dienste für den Prozess gegen Jameson an.

Received 2 p. m., January 30, 1896.

Nr. 10910. Gross-britannien. 30. Jan. 1896.

Telegraphic. || 30th January.— No. 2.— Following telegram received from State Secretary of the South African Republic: — || Begins: January 29.— Referring to previous correspondence as to trial of Dr. Jameson and his officers in England, I have received instructions to acquaint your Excellency that this Government is prepared to afford British Government, or its autho-

rities who may be appointed for the purpose, all information which may be necessary, or may be considered necessary, at the trial in question. This Government requests your Excellency to bring its readiness in this matter to the notice of British Government.—Ends. (Chamberlain nimmt am 3. Febr. das Anerbieten an. Red.)

Nr. 10910. Grossbritannien. 30. Jan. 1896.

Nr. 10911. GROSSBRITANNIEN. — Der Kolonialminister an den Gouverneur in Kapstadt. Soll die Beschwerden der Engländer in Johannesburg untersuchen.

Sent 6.20 p. m., 30th January 1896.

Telegraphic. || 30th January.—No. 1. Her Majesty's Ministers and other public men have received within last few days large number of telegrams, nearly all anonymous, from British residents in Johannesburg complaining of various matters, including indignities to women and children, and expressing fear of injury to their means of livelihood, &c. You had better instruct British Agent in South African Republic to proceed to Johannesburg and ascertain whether there are any genuine grievances, and if so to call the attention to them of Government of the South African Republic, who I believe are able and willing to redress anything that is amiss. I suspect, that these telegrams may emanate from or may be instigated by a small number of persons for political purposes and with a view to prejudicing public opinion here. British Agent in South African Republic might endeavour to trace their source. I believe great majority of mining interests in London is opposed to any gratuitous attempt to revive recent troubles. Report fully by telegraph.

Nr. 10911. Grossbritannien. 30. Jan. 1896.

Nr. 10912. GROSSBRITANNIEN. — Der Gouverneur in Kapstadt an den Kolonialminister. Antwort auf Nr. 10906.

Received 10.28 p. m., 4th February 1896.

Telegraphic. || 4th February.—No. 2. Referring to your despatch of 18th January, in reply to first question, yes; to second question, telegram reached Capetown 1.45 a.m. 1st January, and reached me about 10 o'clock on arrival at office; to third question, I arranged with President South African Republic on that date to proceed to Pretoria to assist in bringing about a peaceful settlement, and he the same day arranged with Reform Committee to mutually postpone hostilities pending my arrival.

Nr. 10912. Grossbritannien. 4. Febr. 1896.

Nr. 10913. GROSSBRITANNIEN. — Der Kolonialminister an den Gouverneur von Kapstadt. Legt das Verhältniss Englands zur südafrikanischen Republik dar und fordert Reformen für die Ausländer*).

Downing Street, February 4, 1896.

Sir, || It has hitherto been impossible for me to do more than indicate to you by telegraph the immediate measures which appeared to me to be

Nr. 10913. Grossbritannien. 4. Febr. 1896.

*) Der Hauptinhalt war Robinson telegraphisch mitgetheilt. Red.

Nr. 10913. Gross-britannien. 4. Febr. 1896.

necessary in view of the grave issues raised by the incursion of an armed force under Dr. Jameson into the territory of the South African Republic; but now that the pressing questions of the moment have been disposed of, I take the earliest opportunity of addressing you at length upon the subject.

2. I propose in the present despatch to review the situation, to trace the causes, as I understand them, which have given rise to it, and to explain the policy of Her Majesty's Government.

3. For a proper apprehension of the events which have led up to the recent crisis, I must go back to the period immediately succeeding the conclusion of the Convention of Pretoria in 1881. At that period, and for some time afterwards, the population of the South African Republic was comparatively small, and composed almost entirely of burghers and their families. The British element in it was made up of traders, a handful of farmers or landowners, and a small, and not very thriving, body of goldminers, living chiefly in the neighbourhood of Lydenburg. The revenue was meagre, and hardly sufficient for the barest needs of Government. About ten years ago the discovery of gold deposits at the De Kaap Fields gave indications of a new state of things, and a little later came the discoveries of gold at the Witwatersrand, which worked a complete revolution in the situation of the Republic, both financial and political. The discovery of the Reefs at the Rand gave rise to the inevitable gold fever, followed by the usual reaction. From such reaction the industry was saved by the foresight and financial courage of certain of the capitalists most interested, and since 1890 the progress has been uninterrupted and rapid.

4. Owing to peculiarities of temperament and circumstance, participation in the new industry had no attraction for the burgher population. It remained almost entirely in the hands of new-comers commonly known as "Uitlanders", and a sharp line of cleavage was thus created within the Republic—the Uitlanders being chiefly resident in the industrial and mining centres, whilst the burgher population remained absorbed in its pastoral avocations and dispersed widely through the country districts. It is very difficult to arrive at any exact idea of the numbers of these two classes of the inhabitants. But I conceive that I am well within the mark in estimating the white population along the Rand at something like 110,000, and it may safely be said that the aliens (the large majority of whom are British subjects) at the present time outnumber the citizens of the Republic.

5. The political situation resulting from these conditions is an anomalous one. The new-comers are men who were accustomed to the fullest exercise of political rights. In other communities, where immigration has played an important part in building up the population, it has been the policy of the Legislatures to make liberal provision for admitting all new-comers who are desirous of naturalization, after a comparatively brief period of probation, to the rights and duties of citizenship—a policy which, so far as national

interests were concerned, has been fully justified by the event, for experience shows that the naturalized alien soon vies with—if he does not outstrip—the natural-born citizen in the fervour of his patriotism.

6. In the South African Republic, however, different counsels have prevailed with those who were the depositories of power. More than one law has been enacted, rendering more difficult the requirements imposed on those desiring naturalization, and the effect being, so far as I can find, that, whereas in 1882 an Uitlander could obtain full rights of citizenship after a residence of five years, he can now never hope to attain those rights in full, and their partial enjoyment is only conceded after a term of probation so prolonged as to amount, for most men, to a practical denial of the claim. If he omits to obtain any kind of naturalization for himself, his children, though born on the soil, remain aliens like himself.

7. By this course of legislation the whole political direction of affairs and the whole right of taxation are made the monopoly of what is becoming a decreasing minority of the population, composed almost entirely of men engaged in pastoral and agricultural pursuits; whilst the great majority of all those engaged in the other avocations of civilization—the men, in fact, who have by their exertions in a few years raised the revenues of the country from some 75,000 l. to an amount which cannot now be less than 2,000,000 l., and who find eighteen or nineteen twentieths of the total revenue—are denied any voice in the conduct of the most important class of affairs, and have not succeeded in obtaining any redress for what seems a formidable array of grievances which, it is alleged, hamper and injure them at every step of their lives. The feelings of intense irritation which have been aroused by this state of things have not been lessened by the manner in which remonstrances have been met.

8. Whatever may be the truth as to the occurrences of the last few weeks, the Uitlander leaders had previously kept within the limits of constitutional agitation; but their success in this direction was not encouraging. It is true, that hopes have been held out to them by persons of high position and influence in the South African Republic, and they have at times obtained what they regarded as promises; but these have not been practically fulfilled, and when they have remonstrated they have occasionally been met with jeers and insult—none the less irritating to strangers because, as I hope is the fact, they emanated only from a minority of the ruling class. Thus, in May 1894, a petition for the extension of the franchise, signed by 13,000 inhabitants, is credibly reported to have been rejected by the Volksraad amid scornful laughter, and in April 1895 a similar petition signed by upwards of 32,500 inhabitants is stated to have met a similar fate—one member of the Volksraad so far forgetting himself as to challenge the Uitlanders to take up arms and fight.

9. At a meeting of the National Union at Johannesburg in 1894 the

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grievances and the demands of the Uitlanders were set forth in a formal and elaborate manner, and it was then emphatically stated that no resort to violence was contemplated; although one of the principal speakers warned the Government that, if their policy were persisted in, blood would be shed in the streets of Johannesburg, and that the responsibility would lie at the doors of the Kolksraad. At that time much was hoped from the coming elections, as it was anticipated that a "progressive" majority would be returned to the Raad, and that a more liberal policy would be pursued.

10. But those hopes were doomed to disappointment. The elections to the Raad did, indeed, result in the return of a majority of members who were commonly reckoned as "progressives", and the National Union, in view of the suggestion that reforms were hindered by the making of inflammatory speeches at Johannesburg discontinued their agitation. Nothing, however, came of this change of policy.

11. On the 20th November last a speech was delivered by Mr. Lionel Phillips, the Chairman of the Chamber of Mines, which marks a reversion to the policy of active agitation. I note that on that occasion Mr. Phillips stated that the position had been endured, and it was likely to be endured still longer, and that he added that "nothing was further from his heart than "a desire so see an upheaval, which would be disastrous from every point of "view, and which would probably end in the most horrible of all possible "endings—in bloodshed." Finally came the manifesto issued by the National Union on the 27th December, in which their objects were stated to be the maintenance of the independence of the Republic, the securing of equal rights, and the redress of grievances. In that manifesto, although the complaints of the Uitlanders were set out in detail, and very plain language was used concerning the administration, no hint was given of an intention to resort to force.

12. I mention these matters because they seem to me to prove that, whatever may have been the secret schemes of individuals, the agitation, as the great majority of the Uitlanders understood it, and to which they gave their sympathy, was one proceeding on the only lines on which an agitation against an organised Government of military strenght can proceed with any hope of success—that is to say, it was an open and above-board agitation, prosecuted without violence and within the lines of the constitution.

13. It is needless to say, that Her Majesty's Government had watched the progress of these events with careful attention. Apart from their legitimate concern for the interests of so large a body of British subjects, they could not but feel a keen anxiety lest the agitation should degenerate into a contest with the constituted authorities; but there was no ground for their active intervention. The Uitlanders and their organs had always deprecated the introduction into the dispute of what is called in South Africa the "Imperial factor." To have intervened uninvited seemed impracticable, and cal-

culated only to be injurious to the prospects of a peaceful and satisfactory settlement.

14. There were, indeed, rumours from time to time that violent measures were in contemplation, but these rumours were continually falsified by the event, so that, in the long run, the opinion gained ground that the Uitlanders did not mean to risk a collision with the Government; and in the light of later occurrences it would seem evident that, so far as the Rand itself is concerned, that view was the correct one. Nor was it confined to Her Majesty's Government, for the Consul-General in London of the South African Republic, the Government at Pretoria, and the Press of South Africa as a whole, appear to have been of much the same way of thinking.

15. Such was the position of affairs when, on the 30th December, I learned the grave fact that Dr. Jameson had invaded the territory of the South African Republic at the head of a force of armed police.

16. It need hardly be stated, that neither you nor Her Majesty's Government had up to the last moment any reason which would lead us to anticipate this invasion was likely to take place. It has, I believe, been suggested in some quarters that the concentration of police at Mafeking and Pitsani Potlogo, on the western borders of the Republic, should have sufficed to indicate to us that some aggressive movement was intended against the Republic; but this view is founded on a misapprehension of the circumstances. So long ago as August last the British South Africa Company, in connection with the projected extension of the railway northwards from Mafeking, asked permission to station, for the time being, a certain portion of their police force at Gaberones in order to afford protection to the railway, and to preserve order among those engaged on the work and the natives and others who would be attracted to the spot. I did not, at the moment, consider it desirable to comply with the request, because the territory in question still formed part of the Bechuanaland Protectorate, and I saw objection to introducing into it a body of armed men who would not be under the exclusive control of the Crown. The matter then dropped, but was revived by the circumstances attending the visit to this country of Khama and the other two principal Bechuana Chiefs, when an understanding was come to as to the future administration of the Protectorate. By that arrangement so much of the Bechuanaland Protectorate as was not reserved to the three Chiefs above mentioned was to pass under the direct administration of the British South Africa Company, which was to become the border authority all round the territory. It consequently became unnecessary to retain the services of the Bechuanaland Border Police. On the other hand, the Company represented that this increase in the area of the territory wherein they were to become responsible for the preservation of order demanded a corresponding increase in the strength of their police, and they expressed themselves anxious to obtain the services of so many of the Bechuanaland Border Police as were

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not about to be transferred to the Cape Colony, or were not to be discharged. I assented to this proposal, and the Bechuanaland Police, scattered throughout the Veldt, were called in to Mafeking, their headquarters, for the purpose of being either paid off or inspected by Dr. Jameson, the Company's Administrator, with a view to his selecting such of them as might be willing to join the Company's service, and as he might be willing to accept. So far as my information went, the numerous details attending the transfer of men and stores to the Company were being discussed and settled in a routine manner, and there was nothing in the detailed correspondence to arouse any suspicion. I understand, that about 200 of the Police were in this way collected, of whom at least 120 were taken over by Dr. Jameson on behalf of the Company.

17. Some little time before the settlement with Khama and his allies, the Company had come to an agreement with the minor Chiefs Montsioa and Ikanning, through whose districts the first section of the railway was to pass, for a transfer of the administration of their territories; and, as I have since learnt, they obtained from Montsioa a site for a police camp at Pitsani Potlogo, and, with your knowledge and assent, an apparently small body of police came southwards from Buluwayo to occupy these two minor districts. The only official details which I have received of a marked concentration of police are given in your telegram of the 10th January, from which I gather that you saw nothing suspicious in the arrangement, that you were not aware of any ordnance being at the camp, and that you did not think it necessary to specially report the circumstances to me. I am given to understand that the Bechuanaland officials were, equally with yourself, taken by surprise; and on this and other cognate questions I await the full report which Mr. Newton, the Resident Commissioner in the Protectorate, has been directed to furnish.

18. The question has been much discussed whether the Government of the South African Republic, which, I believe, has police patrols along the Bechuana border, were equally in the dark as to Dr. Jameson's intentions. I understand from your message of the 10th January, that the Government of the Republic was taken entirely by surprise, and this has been confirmed by a statement since published on authority by the Consul-General of the South African Republic. If it had been otherwise, it is clear that the Government of the Republic ought to have communicated its information or its suspicions to you, and that you would then have been enabled to take steps which would have prevented the invasion and the bloodshed which unfortunately followed. But the fact, that the Republican Government, who had the best means of information and the greatest interest in the matter, was entirely unaware of any preparations which would justify a remonstrance, is evidence of the unexpected character of the invasion, and proves that the circumstances preceding it were not of a character to call for special notice from you.

19. On the 29th December, however, it was suggested to me, that the Chartered Company's police might be used to force matters to a head in

Johannesburg. The suggestion appeared to me almost incredible; but as a precautionary step I immediately telegraphed to you in order to put you on your guard, and instructed you, if you thought it necessary, to warn Mr. Rhodes of the consequences. Unfortunately Dr. Jameson had already crossed the border of the Transvaal.

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20. As soon as the raid became known, every possible effort was made by the British authorities to stay Dr. Jameson's advance. On the first rumour you at once telegraphed to the Resident Commissioner in the Bechuanaland Protectorate to send a fast messenger to warn Dr. Jameson and his officers of the position in which they had placed themselves, and to direct their immediate return. Your message was somewhat delayed by the cutting of the wire south of Mafeking, but within 40 minutes of its receipt by Mr. Newton the messenger was on his way with written orders, which he succeeded in delivering when the force was about halfway to Johannesburg. The only reply he brought back was a verbal one, that the despatches had been received and would be attended to. Meanwhile a second messenger had been despatched by the British Agent at Pretoria, and returned with a written answer from Dr. Jameson, dated the 1st January, in which he stated that in the absence of food supplies it was necessary for him to proceed, but added that "he was anxious to fulfit his promise on the petition of the principal residents in the Rand to come to the aid of his fellowmen in their extremity," an excuse which I sought to deprive of its plausibility by authorising any necessary expenditure for food and forage. Proclamations were also issued by the Governor of Natal and by yourself, calling on all British subjects to abstain from taking any part in disturbances in the Transvaal, and on the 1st January I directed you to make known by telegraphic communications to the newspapers in Johannesburg, Pretoria and Bloem fontein that Her Majesty's Government, the High Commissioner, and Mr. C. J. Rhodes, all repudiated Dr. Jameson's action, and that you were commanded by Her Majesty to enjoin her subjects in the South African Republic to abstain from aiding or countenancing Dr. Jameson or his force, to remain quiet and obey the law and the constitutional authorities, and to avoid tumultuous assemblies. It was my desire, that Sir J. de Wet should proceed in person to Dr. Jameson and summon him to retire. I have since learned from you that, owing to the partial interruption of telegraphic communication and to the rapidity of Dr. Jameson's movements, by the time my instructions reached the British Agent at Pretoria, fighting had already begun 50 miles away.

21. On the 1st January you observed a report in the Cape newspapers, that there had been a rising in Johannesburg, and that a Provisional Government had been proclaimed. You at once offered, if the President of the Republic should wish it, to come to Pretoria in order to co-operate with him in endeavouring to bring about a peaceful settlement, and, your offer being accepted, you started on the following evening.

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22. The situation as you found it on your arrival in Pretoria was extremely critical. Dr. Jameson and his force were prisoners. The town of Johannesburg was supposed to be in an attitude of armed, but for the moment passive, rebellion, and was surrounded by a burgher force variously estimated at from 8,000 to 12,000 men. The Republican authorities had practically withdrawn from the town, and the maintenance of order rested with the Reform Committee and with those who had armed themselves, or accepted arms from the Committee, with the expressed intention of protecting life and property and preserving the peace. A considerable amount of arming and organisation appears to have gone on during the next few days; but it is clear, that the majority of the population had little, if any, sympathy with the revolutionary movement.

23. At this juncture President Krüger showed a spirit of wisdom and moderation which I desire heartily to acknowledge. He kept within bounds the natural exasperation of his burghers, and the decision to which he came with regard to the prisoners was equally prudent and magnanimous. When it first came to my knowledge that he might offer to hand them over to Her Majesty's Government for punishement, I felt it my duty to point out that it would be practically impossible to punish the rank and file, and that even as regards the leaders it was not possible to proceed otherwise than according to law; all that could be done was to bring them to trial and to leave the issue in the hands of justice. He nevertheless decided, after some correspondence, to hand over the whole of the prisoners to Her Majesty's Government, and it was arranged that such of the rank and file as were not domiciled in South Africa should be sent to this contry to be disposed of as Her Majesty might direct, the leaders being also brought here and put on their trial immediately after their arrival.

24. As regards the town of Johannesburg, the Government of the South African Republic decided that the inhabitants must lay down their arms unconditionally within 24 hours, "as a condition precedent to any discussion and consideration of grievances." You sent Sir J. de Wet on the 6th ultimo to communicate this decision to the Reform Committee and the people. In this task he was aided by Sir Sidney Shippard, who appears to have taken up his residence in Johannesburg; and as a result, either through a conviction that the rebellion was futile, or that it was wrong, or from an anxiety not to injure the position of the prisoners, the people of Johannesburg accepted the ultimatum, and placed themselves and their interests unreservedly in your hands in the fullest confidence that you would see justice done to them. You informed me, that you hoped then to be able to confer with the President and the Executive Council with regard to the redress of Johannesburg grievances.

25. On the 9th ultimo you reported, that the Government of the South African Republic had issued a proclamation granting a general amnesty to all

in Johannesburg, with the exception of the leaders, who should lay down their arms before the following evening; and on the 10th ultimo you communicated to me a proclamation addressed by the President to the inhabitants of the town, couched in conciliatory language, wherein he promised to submit to the Volksraad at its next session a law for the establishment of a municipality, with a mayor at its head, to whom the whole municipale government of the town would be entrusted.

26. For the next few days your attention appears to have been devoted to questions relating to the handing over of the prisoners, and on the 14th ultimo I learnt from you that, this matter having been arranged, you proposed to return to Cape Town that evening.

27. I desire to take this opportunity of expressing my cordial appreciation of your action on learning of Dr. Jameson's invasion, and also of your subsequent negotiations at Pretoria. In concluding the arrangements connected with the transfer of the prisoners and in averting the further evil consequences which might have arisen from Dr. Jameson's action, you achieved a success which was a worthy fruit of ripe experience, of long years passed in difficult employments, and of an exceptional tact and a high degree of power in winning the confidence of other men. I had hoped, that it might have been possible four you, before you left Pretoria, to obtain some definite assurances from President Krüger as to the character of the reforms which his Honour has promised to the Uitlanders, and as to the time at which they might be granted; and I had telegraphed to you, some days before, the views of Her Majesty's Goverment on those subjects. Your telegrams had led me to expect, that you would be able to find an opportunity of discussing these matters during your stay at Pretoria. You have since informed me, that it would have been impossible to enter on a discussion of these questions at the time, inasmuch as the Government believed that they had evidence of a widespread conspiracy to overthrow the Constitution, in consequence of which they had arrested between 50 and 60 prominent inhabitants of Johannesburg; and that, pending the investigation of the facts before the Courts, they would certainly not entertain the question of concessions to the Uitlanders.

28. It seemed to me, I confess, somewhat hard that the suspicion, or even the certainty, that a handful of the wealthier inhabitants were more or less implicated in a treasonable conspiracy should be regarded as a reason for delaying the discussion of the question of granting to the vast majority of industrious and peaceable inhabitants concessions, which seem urgently called for by considerations alike of justice and expediency. I deferred, however, to your representations, that the moment was an inopportune one for pressing the question, and I have intimated that you would receive in the present despatch further and fuller instructions for your future guidance. But before proceeding to this subject there are two points to which I must refer.

Nr. 10913. Grossbritannien. 4. Febr. 1896.

29. The first is as to the recent arrests in Johannesburg. I am unaware of the precise charges on which the persons now in custody, or on bail or parole, will be tried, but I am anxious to have a full report on the subject, and to be in a position to give information to those foreign Governments who have invoked the good offices of Her Majesty's Goverment for such of their citizens as are implicated in the charges; and I accordingly instructed you to engage counsel to watch the trials and to furnish a complete account of them. I have now learned with much satisfaction that you have been able to secure for this service a gentleman of the high reputation and ability of Mr. Rose Innes, Q.C., formerly Her Majesty's Attorney-General for the Cape Colony.

30. In the next place it is necessary, that I should state clearly and unequivocally what is the position which Her Majesty's Government claim to hold towards the Government of the South African Republic.

31. Since the Convention of 1884 Her Majesty's Government have recognised the South African Republic as a free and independent Government as regards all its internal affairs not touched by that Convention; but as regards its external relations it is subject to the control of this country in accordance with the provisions of Article IV. There is no reason to anticipate, that any foreign state will dispute our rights, but it is necessary to state clearly that Her Majesty's Government intend to maintain them in their integrity.

32. As regards the internal affairs of the Republic, I may observe, that independently of any rights of intervention in particular matters which mya arise out of the Articles of the Convention of 1884, Great Britain is justified, in the interests of South Africa as a whole, as well as of the peace and stability of the South African Republic, in tendering its friendly counsels as regards the new-comers, who are mainly British subjects.

33. The list of grievances under which the Uitlanders labour is, as I have already intimated, formidable in length and serious in quality. I cannot pretend to give an exhaustive statement of them here, and I do not wish to be understood as implying that everything which has been at one time or another put forward on behalf of the Uitlanders as a grievance is a grievance in reality.

34. The first is the difficulty in obtaining naturalization and the franchise, to which I have already alluded. This subject was discussed in my predecessor's Despatch of the 19th October 1894, wherein, in anticipation of an opportunity occurring for the intervention of Her Majesty's Government, he set forth certain arguments and conclusions which I adopt. I agree with him in thinking, that the case would be met by the grant of the franchise after a period of five years' residence, with a modification of the oath of allegiance so as to remove what are felt to be objectionable features in it; and I may observe, as was pointed out by Lord Ripon, that the taking of such an oath,

in whatever way it may be framed, will, according to British law, effectually deprive the person taking it of his status a British subject.

35. Hardly less important than the franchise is the question of education. Up to the present it seems to have been practically impossible for the children of Uitlanders to obtain efficient education in the State, or State-aided, schools. I have strong hopes, however, that an understanding may be arrived at between the Government and those interested, as I gather that on the 30th and 31 st December the President and Executive Council made specific promises on this and other points, which, if fulfilled, should go far towards meeting some of the Uitlanders' complaints.

36. A further set of grievances are those connected with finance. It is maintained that the finances are mismanaged, and that the expenditure escapes proper control and audit; that taxation is maintained beyond the needs of the administration; that unfair discrimination is shown in the collection of personal taxes; that the import duties on the necessaries of life are not only a hardship on the working class, but so raise the cost of the working of the mines as actually to be prohibitive of the working of he poorer ones, which, if the taxation were better apportioned to the ability to bear it, might be opened up to the general advantage.

37. Then, again, there seems to be a serious ground of grievance, at least in theory, in the exceptional restrictions imposed by law upon the right of public meeting. As to this, however, I feel bound to admit that, as far as the recent history of Johannesburg is concerned, these restictions do not appear to have been very strictly interpreted.

38. The policy of granting State monopolies as regards mining requisites and other important articles of commerce has given rise to much resentment, and, as regards some of them, it is difficult to see how even a plausible justification can be put forward for them from the point of view of the interests of the general community.

39. As regards the grievances which have been put forward connexion with the labour question by the mining industry, I content myself at this time, by expressing the hope that if by the abatement of formalities and needless restrictions, by promoting the well-being of the natives when going to, remaining at, and returning from, the mines, and by enforcing on them wise restrictions as regards drink and such matters, the labour supply can be enlarged and the condition of the labourers improved, the President and his Executive Council will not fail to give the question their most earnest attention.

40. Of railway matters also I need say but little. I cannot suppose, that, looking to the large interest which the Government of the Republic has in the financial success of its railways, there can be any hesitation in redressing proved grievances or in adopting measures for the improvement of the personnel or the traffic and other arrangements of the lines.

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41. The only other matter of grievance on which I propose to touch now is the condition of the police force, as to which I may remark that difficulties of the reforming party in the Volksraad and the Executive appear to arise from the strong prejudice of the more conservative of the burghers against employing Uitlanders, which would not be unworthy of sympathy were it not for the patent fact that a population like that of the burghers cannot possibly be expected to furnish adequate material from which to select candidates for this department of the public service; and to make difficulties about appointing foreigners amounts, under the circumstances, to a denial to the Uitlander community of what are among the primary rights which the governed may demand of those who undertake to govern them.

42. In thus enumerating and commenting on the grievances of the Uitlanders, I am fully alive to the fact that their redress cannot be accomplished without extensive changes in the law, the necessity for which may not be apparent to the more conservative section of the burghers, who may not have mastered the facts of the situation created by the growth of the large Uitlander community within the Republic; but I hope that even this section of the burghers will have learnt enough from recent events to perceive that the true interests of their country lie in accepting proposals which will remove just causes of discontent, and disarm the agitation, which, however futile it may have seemed when appealing inconsiderately to the arbitrament of war, will always be a possible source of danger to the present régime.

43. In the preceding remarks I have suggested the natural and appropriate remedies for the principal grievances of which the Uitlanders complain, but it has not escaped my notice that these grievances arise in a limited area of the South African Republic—that is to say, in the part occupied by the gold-mining industry. I am aware, that the conditions in the rest of the country are entirely different, and I can appreciate the difficulties of the President, who may feel that, if he were to meet the wishes of the Uitlanders, he might indirectly be the cause of subordinating the interests of the burghers and of the pastoral population to the interests of the Rand. Having regard to this, Her Majesty's Government have carefully considered whether it might not be possible to meet the complaints of the Uitlanders without in any way endangering the stability of the institutions of the Republic, or interfering with the ordinary government of the country and the administration of its general affairs by the burghers.

44. Basing myself upon the expressed desire of President Krüger to grant municipal government to Johannesburg, I suggest, for his consideration, as one way of meeting the difficulty, that the whole of the Rand district, from end to end, should be erected into something more than a municipality as that word is ordinarily understood; that, in fact, it should have a modified local autonomy, with powers of legislation on purely local questions, and subject to the veto of the President and Executive Council; and that this power

of legislation should include the power of assessing and levying its own taxation, subject to the payment to the Republican Government of an annual tribute of an amount to be fixed at once and revised at intervals, so as to meet the case of a diminution or increase in the mining industry.

45. As regards judicial matters in such a scheme, the Rand, like the Eastern Provinces and the Kimberley District of the Cape Colony, might have a superior court of its own. It would, of course, be a feature of this scheme that the autonomous body should have the control of its civil police, its public education, its mine management, and all other matters affecting its internal economy and well-being. The central Government would be entitled to maintain all reasonable safeguards against the fomenting of a revolutionary movement, or the storage of arms for treasonable purposes within the district.

46. Those living in, and there enjoying a share in the government of, the autonomous district, would not, in my view, be entitled to a voice in the general Legislature or the Central Executive, or the presidential election. The burghers would thus be relieved of what is evidently a haunting fear to many of them—although I believe an unfounded one—that the first use which the enfranchised newcomers would make of their privileges would be to upset the republican form of government. Relieved of this apprehension, I should suppose that there would not be many of them who would refuse to deal with the grievances of the comparatively few Uitlanders outside the Rand on those liberal principles which characterized the earlier legislation of the Republic.

47. The President may rest assured that in making the above suggestions I am only actuated by friendly feeling towards himself and the South African Republic. They are not offered in derogation of his authority, but as the sincere and friendly contribution of Her Majesty's Government towards the settlement of a question which continues to threaten the tranquillity of the Republic and the welfare and progress of the whole of South Africa.

48. A proper settlement of the questions at issue involves so many matters of detail which could be more easily and satisfactorily settled by personal conference, that I should be glad to have the opportunity of discussing the subject with the President, if it suited his convenience, and were agreeable to him, to come to this country for the purpose. Should this be impracticable, I rely upon you to make my views known to him and to carry on the negotiations.

49. You will observe that in this despatch I have said little or nothing as to the action of Dr. Jameson, and expressed no opinion of its moral and political aspects, although, so long as any good could possibly be done thereby, I was not reticent in giving expression to what I thought of his proceedings. The reason is that he and those of his officers who seem to have shared his counsels are about to appear before the tribunals of this country to answer

Nr. 10913. Grossbritannien. 4. Febr. 1896. for their acts, and until those tribunals have pronounced upon him and them it would be improper to say more upon the subject.

I have the honour to be, Sir, Your most obedient humble servant,

J. Chamberlain.

Nr. 10914. GROSSBRITANNIEN. — Der Kolonialminister an den Gouverneur in Kapstadt. Frage der Naturalisation der Ausländer in der südafrikanischen Republik.

Downing Street, October 19, 1894.

Nr. 10914. Grossbritannien. 19. Oct. 1894. Extract. || Having, in another despatch of this day's date*), put you in possession of the views of Her Majesty's Government in regard to the Swazi question, I now proceed to deal with certain other questions which stand in need of a solution, if the relations of this country with the South African Republic are to be placed on a satisfactory footing. || As regards the position of British subjects, it may be observed that what seemed a little time ago to be their most acute grievance, viz., their liability to compulsory military service in the wars of a State which treated them as aliens, has been put in train for settlement, and has indeed been practically settled by the agreement arrived at between you and President Krüger when you were last at Pretoria. All that now seems necessary is that that agreement should be put in such legal form as will render it finally binding. || Of the remaining grievances, the most important, and the only ones on which I shall touch, are those connected with the question of naturalisation as affecting the power of aliens to acquire burgher rights, and especially the franchise, and with the form of the Oath of Allegiance exacted from those whose claim to naturalisation is recognised. || Before proceeding further with these topics, I may as well set out what is the exact scope of the concession which it is possible or desirable to ask for from the Republic, and what are the legal consequences which would follow from a compliance on the part of the Republic with the proposals of Her Majesty's Government, for on these points there appears to have been some amount of misapprehension. || By the Common Law of England, which for this purpose was the Common Law of the British Empire, the allegiance of a subject to the Crown was indelible. He could not, by offering allegiance to any other Sovereign or accepting the citizenship of any other State, relieve himself of any obligations arising out of his natural allegiance. On the other hand, he could not divest himself of any of his rights arising out of such allegiance. His naturalisation by any other State was, in the eye of the Common Law, a nullity to all intents and purposes. When, during the present century, great numbers of Her Majesty's subjects commenced to emigrate to foreign States, and there to obtain naturalisation, the inconveniences and

*) Vgl. Nr. 10855. Red.

anomalies of this condition of "double allegiance" became increasingly manifest, and in 1870, by the advice of a Royal Commission composed of men of great learning and experience, Parliament finally reversed the doctrine of double allegiance, and rendered that condition impossible so far as British subjects were concerned. By the Imperial Naturalisation Act, 33 Vict. cap. 14, section 6, it is provided that any British subject who might have at any time before, or might at any time after, the passing of that Act, when in a foreign State, and not under any disability, voluntarily become naturalised in such State should be deemed to have ceased to be a British subject. The section contained a proviso in favour of persons previously naturalised in foreign States who might within two years take certain prescribed steps to exempt themselves from its operation. But this proviso is not material to the present discussion. Other sections of the Act subsequent to that above cited, provided that persons thus voluntarily expatriating themselves, might, in the discretion of the Secretary of State or the Governor of a British possession, as the case might be, obtain re-admission to British nationality on certain conditions, which, as I am advised, include all the conditions required of an alien seeking British naturalisation for the first time. Speaking generally, the principal of these conditions would be a five years' residence within the British dominions, during which such persons would remain aliens, incapable of taking part with their countrymen in any of those public acts which pre-suppose British citizenship as a qualification. || Now it is abundantly clear that at one time the view extensively held among many British subjects in the South African Republic was that it was open to them to claim and to obtain naturalisation in that Republic whilst remaining British subjects to all intents and purposes; and it would seem that some British subjects still remain under that impression. As regards that view, it suffices to point out that such a course is not within the competence of Her Majesty's Government. The arrangement, even if agreed to, would be a nullity, for it has been negatived in advance by Parliament, and I may add that it would be quite hopeless to ask Parliament to reverse a policy which was adopted for most cogent reasons (which are still operative), and to which this country has committed itself in its dealings with many civilised States. The British subjects in the South African Republic must, then, clearly understand that if they obtain in full the rights of burghership in that State, they not only become liable to all the duties of burghership but forfeit, for the time, at all events, their rights of British subjects, which rights they can only regain after a lengthened term of political disability passed within the British Dominions. || It may be that the foregoing explanations will throw somewhat of a new light on the question, not only in the eyes of the British subjects, but of the authorities of the South African Republic, and that the latter may come to regard the claims of the British subjects with less hesitation when it is understood that it is not sought to infuse into the citizenship of the State an element consisting of persons who,

Nr. 10914. Gross-britannien. 19. Oct. 1894.

while claiming equal rights with burghers proper, might, upon occasion, raise a claim to the diplomatic protection of an outside power.

Taking, then, the claim of the British subjects to be one not complicated by these extraneous objections, the principal ground for criticising the policy of the Republic is that whilst for seven years past it has been gaining in wealth and strength by the industry, capital, and intelligence of a body of foreigners who, counting adult males against adult males, now exceed its native population in numbers, and greatly exceed them in their contributions to the State, it has been at the same time adding to the stringency of the conditions on which the men who compose this new and indispensable element in the body politic can obtain the full right of participating in public affairs which concern them so vitally, and which they have influenced so favourably. The period of residence, which constitutes the most important condition of naturalisation, differs in different countries, but there is a very general consensus of opinion among civilised States that five years is a sufficiently long period of probation, and Her Majesty's Government would wish you to press on the Government of the Republic the view that the period in this case should not exceed that limit as regards the right to vote in the First Volksraad, which is the dominant body, and in Presidential elections. In the absence of any special reasons which are not apparent, it would seem reasonable that the legislation of the Republic should follow that of this and certain other civilised countries in making the qualification for a seat in the Legislature identical with the qualification for voting. || As regards the form of the Oath of Allegiance, which appears to be founded on that in force in the United States of America, I would observe that, whilst Her Majesty's Government consider that, on grounds of comity and good neighbourhood, they may invite the Republic to reconsider its terms, they are not influenced, as some British subjects on the spot have apparently been influenced, by any supposition that a modification of its terms would avert the consequences of expatriation which clearly follow from taking it. The result of expatriation, as I have shown above, is decreed by British law, quite independently of the law of the Republic or the act of the new burgher in taking the oath. Indeed, an oath is not an essential, although, of course, a very general, step in the process of naturalisation. The true ground of objection to the present form of oath is a ground of sentiment, but it is, in the opinion of Her Majesty's Government, none the less entitled to sympathy and consideration on that account. A British subject might well say, "for cogent reasons I feel compelled to seek the burghership of the country wherein the chances of life have placed me, and I willingly swear to be faithful to its laws and to be loyal to its Government and to my fellow citizens. For doing this I am told that my own Parliament cancels my allegiance to the Queen and blots out my name from the roll of British citizenship. To that decree I bow, but, as it is so, it should satisfy the Republic. It is hard that I should be asked to put my

own hand to the cancelling of my national allegiance—that I should be made to appear to be a willing party to the severing of my connexion with the country of my birth." If this is sentiment, it is generous sentiment, which seems to me to command sympathy, and which may be deferred to without, as it happens, any detriment to the public interest of the State. You might point out to President Krüger that the form of oath in use in the United States goes back to the days when this country still asserted the doctrine that British allegiance was indelible, and it was intended to checkmate the kind of man who was an American citizen on polling days or when there were vacancies in salaried offices to be filled, but re-asserted the status of a British subject when provost-marshals were "beating up" recruits and requisitioning transport, or when there was an United States blockade to be broken. Long before the present form of oath was adopted in the South African Republic, this country had abandoned its former doctrine, and therefore the reasons which may be assumed to have influenced the United States had at that time wholly ceased to operate; and there would therefore seem no reason why the South African Republic should adhere to a form of oath which, after all, is exceptional in its stringency, and differs from what is thought sufficient by this and many others of the leading countries of the world. The form of oath which is desired by the British subjects is usually spoken of as that in force in the Orange Free State. The form of oath and engagements in force in that State were elaborately dealt with in a judgment delivered in the Natal Newcastle Election Petition case on the 28th of November 1892. If the Judge in that case had before him all the documents material to his subject, it would seem to follow that the formality of an oath is only required from office-holders, and that private persons seeking the rights of burghership are merely required to give a written undertaking, which, however, is to the same effect as the official oath—both being a simple engagement of fidelity to the State and obedience to its laws. I do not suggest that the engagement to be required by the South African Republic should be anything less solemn than an oath, but as regards its substance, you should represent that the adoption of a somewhat similar form of oath to that prevailing in the Orange Free State would be a graceful act on the part of the South African Republic, and you will not fail to point out that, simple as is the engagement required by the Free State, it was considered, in the case I have referred to, enough to convert a British subject who took it into a statutory alien.

Die armenischen Unruhen 1895—1896*).

Nr. 10915. **GROSSBRITANNIEN.** — Der Minister des Auswärtigen an den Botschafter in Konstantinopel. Unterredung mit dem türkischen Botschafter über die armenische Angelegenheit.

Foreign Office, March 28, 1895.

Nr. 10915. Grossbritannien. 28. März 1895.

Sir, || Rustem Pasha called upon me yesterday for the first time after his long illness, and spoke at some length concerning the Armenian question. He repeated to me what he had so often said before, that the difficulties respecting the Armenians were entirely caused by the action of revolutionary agents and Societies in this country by which they were encouraged. || I said that I could only repeat to his Excellency my opinion that, although there undoubtedly were some revolutionary agents at work, the causes were far more deepseated, and arose from the maladministration in Turkey itself. || His Excellency spoke with much bitterness of what he considered were the exaggerated and unfounded statements of the atrocities alleged to have been committed by the Turkish soldiers in the Sasun district. || I said that, without committing myself to a belief in the various statements which had appeared in the public press, I felt bound to tell him that information which had reached me, the authenticity of which I could not doubt, showed that there was only too much foundation for the belief that terrible atrocities had been perpetrated, and it was perfectly clear that it would be necessary when the inquiry was concluded that effective remedial measures should be introduced, and that security should be taken for the better administration of the country in future. || Rustem Pasha asked me upon what grounds we based our right to interfere in the internal affairs of Turkey. || I expressed some astonishment at this inquiry, as I said I thought he must be aware that, as

*) Die folgenden Aktenstücke 10915—11058 sind entnommen den Blaubüchern Turkey 1 und 2 (1896), 7923 und 7926. Es sind vornehmlich die Verhandlungen der Grossmächte mit der Pforte und unter einander berücksichtigt, von den überaus zahlreichen Konsularberichten über die Vorgänge in Armenien sind nur die charakteristischsten aufgenommen. Red.

regards the Armenians, we had the most plain and undoubted right, based upon the Treaty of Berlin and the Cyprus Convention of 1878, and not only had we, in common with the other Powers, a right to interfere, but those Treaties laid upon us most serious obligations that we could not neglect. || I could not, I said, disguise from him that the state of affairs in Asia Minor was becoming more and more unsatisfactory. Reports reached us from our Consuls that increasing bitterness of feeling showed itself between the Christian and Mussulman populations; and I feared that, if this continued, it might give rise to serious events. Sir P. Currie had recently, under my instructions, brought before the Sultan the continued numerous arrests of Armenians in all parts of the country, their detention for long periods without trial, and, I regretted to say, in some cases, the cruel treatment to which they had been subjected in the prisons. || His Majesty had expressed his surprise at these statements, and, I was glad to say, had promised immediate inquiry into the grievances of the Armenians and the means of remedy. || I said I had also received with much satisfaction the announcement that the Armenian ecclesiastical prisoners, with the exception of those who had been guilty of murder or other grave offences, would be released, and I trusted that this indicated that the Sultan was becoming alive to the dangerous state of affairs. Kimberley.

Nr. 10915. Grossbritannien. 28.März1895.

Nr. 10916. GROSSBRITANNIEN. — Der Botschafter in Konstantinopel an den Minister des Auswärtigen. Unterredung mit dem Sultan.

Pera, March 27, 1895. Received April 1.

My Lord, || On Thursday last, the 21st instant, I was invited to take "iftar" (the evening meal during Ramazan) at the Palace of Yildiz, and was subsequently received in private audience by the Sultan, who honoured me with a long conversation of Armenian affairs. || His Imperial Majesty began by saying he had heard with much surprise that it was generally believed that large numbers of Armenians were in prison on political charges. As far as he knew, the only places where political disturbances had occurred and arrests been made were Yozgat, Caesarea and Tokat. He had, however, pardoned most of those implicated, and imagined that the present number of political prisoners was about 30, certainly not 700, as was represented. He was naturally inclined to clemency. He had pardoned men who had made attempts on his life, and had in the last few days issued orders for the release of all Armenian ecclesiastics imprisoned for political reasons. || I congratulated His Majesty on this wise measure, but said he was misinformed as to the number of Armenians in prison. The provincial authorities were in the habit of making wholesale arrests on utterly frivolous and baseless charges, and many persons remained in prison for long periods without knowing of what they were accused. The effect on public opinion was naturally deplorable. || His Majesty said he could not believe that such a state of things existed. Political arrests

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could only be made after political disturbances, and such disturbances, as he had already said, had only occurred in three towns. Neither could he believe that the authorities would allow Armenians to remain in prison without trial. Such a proceeding would be distinctly illegal. In spite of my reiterated statements that there was hardly a town in Asia Minor where the prison was not full of Armenians, His Majesty merely repeated that he wae lost in astonishment, and felt it was like a dream. || I then said I had that morning received an instruction from Her Majesty's Government to remonstrate against the arrests which were daily taking place, and handed to His Majesty a Turkish translation of an extract of your Lordship's despatch of the 16th March. || The Sultan read this document attentively, and again expressed his astonishment, saying that if such things occurred it was without his knowledge. He was convinced there was great exaggeration in the stories circulated by Armenians, and believed in England. He then asked what your Lordship meant by the expression "other offences". Naturally, Armenians must be punished for offences against common law. || I said that persons were often arrested for non-political offences on insufficient evidence, and detained in prison merely because they were Armenians. As an instance, I mentioned a case of which I had only heard that morning, though it had occurred a few years ago, in which the whole male population of an Armenian village in the Government of Van had been arrested because the bodies of two Kurds had been found in the neighbourhood. No evidence was ever produced against any of the men, yet they remained in prison for a long period, and some of them died there. His Majesty said that of course malefactors must be punished. The Turks could not sit with folded hands while the Armenians broke their heads, and the authorities must do their best to discover the guilty. He would, however, inquire into this case, and punish any official who should prove to have acted illegally.

I then referred to the Armoudan prisoners, and specially to the case of Dr. Pashayan, which has recently been brought to my notice. I pointed out to His Imperial Majesty that these prisoners had been arrested two or three years ago: that they had been detained in prison without trial till December last, and that their case had not yet come before the Court of Cassation. The Sultan again expressed incredulity, but I assured him that reports of similar cases reached me almost daily from Her Majesty's Consular officers, who could have no object in making unfounded charges. In the face of these reports, it was impossible not to believe that the Armenians suffered from oppression and injustice. || His Majesty assured me that they had always been treated with clemency and justice by himself and his forefathers; but I replied that, while doing full justice to the humane intentions of the Ottoman Sovereigns, I feared that those intentions were not always executed by the provincial authorities. || The Sultan then said that of late years the Armenians had not behaved well, but that, unfortunately, the false or exaggerated state-

ments they circulated met with full credence in England. He warned me that the present state of things would be fatal to the continuance of good relations between the two Powers. His Mussulman subjects could not remain indifferent to the injuries they received at the hands of Armenians, encouraged and protected, as it seemed, by England. They were deeply affected by our hostility, and he himself, as a Mussulman, could not but resent the attitude of Her Majesty's Government. He desired me to let your Lordship know that it would be wel to contradict the false intelligence which appeared in the press, and to cease from protecting the Armenians. || I replied that public indignation in England had been aroused by these continual arrests of Armenians without cause. I believed that the release of the ecclesiastics would have a good effect, and I trusted that His Imperial Majesty would extend the measure to the other political prisoners. || The Sultan then recounted to me the recent incident at Tokat. According to his information, the Armenians began the disturbance in the bazaar: they then collected in the church and fired on the Moslems, twenty of whom were wounded, one Armenian being killed. Order had been restored with difficulty by the Military Commandant. He had commanded the Governor of Sivas to proceed to the spot, make an impartial inquiry, and punish the guilty.

He then spoke at great length of his relations with the Armenian Patriarch, and of the complaints made by the latter. He had been urged not to confirm the election on account of the unwise utterances of the Patriarch when a Bishop, but had thought it better to forget the past, and had received his Beatitude in audience with every consideration, bidding him exhort his flock to loyalty to their Sovereign. Subsequently, he had sent to ask him what were the grievances of which the Armenians complained. || His Beatitude had replied that there were three:— || 1. That the Censor had tampered with the text of the Bible. || 2. That a chalice had been broken by soldiers. || 3. That some Armenians had been beaten in prison, though innocent of the crimes of which they were accused. || The Sultan said all good Moslems regarded the Bible as a sacred book, as well as the Koran, and it was highly improbable that any one would venture to alter the text; should he find any one had done so, he would "take him by the ear" and see he was properly punished. || With regard to the desecration of the chalice, he said such vessels were generally kept in churches. How could soldiers get at them there? No doubt the sacred vessel had been broken by some drunken rascal. || If, however, there had been a disturbance in the church, and soldiers who had been called in to restore order had broken the chalice in the general confusion, the Armenians could not complain; such incidents were unavoidable. || As for the Armenians said to have been beaten in prison, His Majesty simply said the case was impossible. || "I am lenient as a Sovereign," he said, "and a humane man. I have abolished corporal punishment in my army, though it still exists in European countries. How is it possible that any one should be beaten in

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prison? If any scoundrel has dared to do this he shall be punished. I am inquiring into the case, but have not yet heard the result from the Porte."

I replied that I thought His Majesty had misunderstood the Patriarch's statements. According to a report I had heard, he had divided his grievances under three heads:— || 1. Those concerning religious matters; || 2. Those connected with the ancient privileges of the Church; and || 3. The general condition and treatment of the Armenians. || His Beatitude had, no doubt, given the three cases mentioned by His Majesty as examples of the three classes of grievances, but did not, I felt sure, intend them to be taken as an exhaustive list.

The indignation aroused in England by recent events was, I continued, strong and sincere. The English people felt they could no longer share the responsibility for such a state of things, and Her Majesty's Government would be obliged to insist on the introduction of reforms which would secure a better administration, and protect the Armenians from the Kurds. || His Majesty replied that the laws promulgated by his uncle and grandfather were amply sufficient to insure good government, if properly executed. He proposed, however, to improve the existing administration in three ways: Firstly, by increasing the number of gendarmes or soldiers in places where Kurds and Armenians were in conflict; and, secondly, by sending better men as Judges. Formerly, few Turks went abroad to study, and in Turkey the had hitherto had no opportunity of acquiring a proper judicial training. Such training was, however, now provided in the schools he had established. He added that he feared the indolence of his officials was responsible for much maladministration. In Europe he had heard the Courts sometimes sat till late at night, whereas Turkish Judges were always anxious to leave early. He would, however, see to this. Thirdly, he proposed to introduce a certain number of Armenian functionaries into the public service in some parts of the Empire, but the execution of this reform must be gradual, and depend on the good behaviour of the Armenians themselves. Under these circumstances, there would be no necessity to demand reforms of the Porte. || I replied that we considered in England that no class was likely to obtain the treatment to which it was entitled unless it had some voice in the direction of affairs. For this reason we had gradually extended the suffrage in England, and we felt that in Turkey the Armenians would never be justly treated until they were admitted to a larger share in the Administration. I accordingly ventured to represent to His Majesty that they ought to receive appointments in all branches of the Administration in proportion to their numbers. || The Sultan said that this was already the case. There were Armenian Mudirs and Kaïmakams, Armenians in the police—in fact, they had more than their proper share in the Administration. He had had more than one Christian Minister for Foreign Affairs; his Under-Secretary for Foreign Affairs was an Armenian. Every day in his Palace he saw forty or fifty Armenian employés. He offered

to give a statement showing the number of Armenians in the public service. || I said I feared the practice in the provinces did not agree with theory, and that the number of Armenian officials was small. Unless guarantees were given for the execution of reforms, I could hold out no hope that Her Majesty's Government would be satisfied. || His Majesty said that after Baïram he intended to appoint a Commission to inquire into the grievances of the Armenians, and consider what reforms were necessary. || I explained to His Majesty that my object in speaking so plainly with him had been to fulfil the duty of a Representative of a friendly Power, and that my only desire was to promote the welfare of his Empire. || His Majesty thanked me, and said he had taken my advice about the Sasun Commission, although its departure had been delayed in order to choose good men. But he again urged me to tell your Lordship that the question should be treated with greater moderation, and an attempt made to restrain the violent attacks of the press. What had already occurred was a source of grief to His Majesty, and a continuation of such a policy would inevitably alienate the sympathy of Turkey. As long as the Armenians, encouraged as they were by England, maintained their present attitude, it would be impossible to give them any share in the Administration. Before that could be done, they must behave properly || His Majesty then thanked me again for what I had said, and asked me to reflect on what had passed between us. He would do the same, and, after Baïram, intended to have a further long conversation with me.

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Nr. 10917. GROSSBRITANNIEN. — Derselbe an Denselben. Unterredung mit dem Grossvezier über die armenischen Gefangenen und die Sassunkommission.

Constantinople, March 28, 1895. (Received April 1.)

My Lord, || I Called on the Grand Vizier on the afternoon of the 21st, and drew his Highness' attention to the bad effect produced in England by the wholesale arrests of Armenians, which for some time past have been usual. I stated it was high time the Turkish Government should understand the danger of the situation, and seriously endeavour to stem the tide of popular opinion in England and Europe generally, where the Porte had hardly a friend left. || His Highness said he quite understood the danger of the situation, and asked what could be done to satisfy the British public. || I handed him a translation of parts of your Lordship's despatch of the 16th March, and urged upon him the necessity of liberating the Armenians now in prison without delay, and of ceasing to make further wholesale arrests. || He replied that the Sultan had already issued an Iradé ordering that all Armenian

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ecclesiastics now under sentence should be brought to Constantinople with the papers relating to their cases, and that all who were not found guilty of murder or other nonpolitical crimes should be set at liberty. They would have to take the oath of allegiance, and it would be intimated that they should not be appointed to important posts. The Iradé was dated the 14th March, and had already been communicated to the Minister of Public Worship and Justice. He added that he was taking steps to advise the Sultan to grant a general amnesty to all Armenian political offenders, and had some hopes of success. || I replied that justice rather than clemency was required, and suggested that a Commission should, without delay, visit all the prisons, and be given full powers to discharge all persons detained on frivolous charges or on insufficient evidence. || The Grand Vizier said he preferred his own plan because immediate action was necessary, whereas the measure I suggested would involve months of delay. || His Highness then said he could not understand how England could continue to vilify Turkey, her traditional friend and ally. I reminded him I had warned the Porte as early as November last of the tremendous effect which the Sasun occurrences would have in England, and had advised that immediate measures should be taken to reassure public opinion. || His Highness replied that my advice had been followed, and the Commission sent, but the attacks in the press still continued, and Her Majesty's Government were dealing very hardly with the Porte. || I replied we could do nothing unless Turkey would help herself: “Aide-toi et Dieu t'aidera.” He admitted this, but again begged I would endeavour to prevent the growth of hostile feeling in England. || We then spoke of the Sasun Commission, and his Highness asked if I was convinced that massacres had taken place. I said that, without wishing to prejudice the finding of the Commission, I could feel little doubt that helpless and unarmed Armenians had been killed in cold blood by Turkish soldiers. His Highness seemed much disconcerted by this answer, and inquired if the Commission was working well. I replied that the Turkish members seem to raise unnecessary delays and obstacles, and that it would be better if the Commission would listen to the suggestions of the Delegates with regard to witnesses and other matters. The object of the inquiry was rather to find out whether massacres had taken place, and, if so, who was responsible for them, than to ascertain whether there had been Armenian agitators, such as Murad, at Talori and Sasun. || The Grand Vizier then asked me to recall, in accordance with the prohibition issued by the Ottoman Government, two correspondents who were now telegraphing false news from Erzeroum. I replied that I had never undertaken to enforce that ill-advised prohibition, and had no power to recall the gentlemen in question.

Philip Currie.

Nr. 10918. GROSSBRITANNIEN. — Der Botschafter in Petersburg an den Minister des Auswärtigen. Unterredung mit Fürst Lobanoff. Schwierigkeit Reformen in Armenien einzuführen.

St. Petersburgh, March 28, 1895. (Received April 1.)

Nr. 10918. Gross-britannien. 28. März 1895.

My Lord, || I Called upon Prince Lobanoff this afternoon, and read to him Sir Philip Currie's telegrams forwarded to me by your Lordship. || Prince Lobanoff followed them with interest, and thanked me for communicating them to him. He was awaiting a report from the Russian Ambassador at Constantinople, who had, as his Excellency had informed me on a previous occasion, reported that he was in consultation with his English and French colleagues as to the best method of introducing reforms into Armenia. His Excellency was anxious to learn the proposals which the Ambassadors would make to settle this very difficult question. He believed that he was right in stating that there were but three districts in Asia Minor where the Armenians formed the majority of the population, viz., Bitlis, Angora, and Alexandretta. But these places were far apart, and could scarcely be united in one province. Armenians were scattered throughout the country, indeed, throughout the world, and there was no one locality which could be described as Armenia. || In the case of the Lebanon, it had been found possible to delimitate a province and to appoint a Christian Governor, but the analogy did not apply in the case of the Armenians, and he did not at present see how it would be possible to introduce reforms which would satisfy the Armenians, unless, indeed, we were prepared to undertake the reform of the administration of the whole of Turkey in Asia. The Hatti-Humayoun of 1856, and more especially the Treaty of Berlin, gave the Powers the right to insist on reforms, but the difficulty was to give practical shape to these reforms, and he was, therefore, very much interested to know the result of the consultation of the Ambassadors at Constantinople on the subject. Frank C. Lascelles.

Nr. 10919. GROSSBRITANNIEN. — Botschafter in Konstantinopel an den Minister des Auswärtigen. Mitteilung vom Sultan über die armenischen Gefangenen und die Reformpläne.

Constantinople, April 1, 1895, 7.35 p.m. (Received April 1.)

Nr. 10919. Gross-britannien. 1. Apr. 1895.

Telegraphic. || Mr. Block received yesterday a letter from Tahsin Bey, the Sultan's Chief Secretary, asking him to come and see him at the Palace. On his repairing thither Tahsin Bey read him the following communication from the Sultan: — || "The British Ambassador, at his audience on the 21st March, handed to His Imperial Majesty an extract of a despatch from Her Majesty's Principal Secretary of State for Foreign Affairs. After careful perusal, His Majesty had come to the conclusion that certain of the state-

Nr. 10919. Gross-britannien. 1. Apr. 1895. ments contained in this extract were exaggerated and deeply to be regretted. By order of the Sultan a list of Armenian prisoners had been drawn up at the Porte, but, unfortunately, the names of persons who had already been pardoned by His Majesty figured on this list, as well as the names of some ordinary criminals. A Commission had therefore been appointed by the Sultan to draw up a complete and impartial list of all Armenians who are at present in prison for political offences. This Commission consists of the Ministers of Justice, Police, and the Interior, under the presidency of the former. || "The Sultan is every day sending verbal and written messages pressing for the list, which he expects will be ready very shortly. || "At his last audience, the Sultan had mentioned to the Ambassador his intention of appointing a Commission of Inquiry into the Armenian question after Baïram. The President has now been appointed" (Tahsin Bey did not give Mr. Block his name), "and the Sultan was at present occupied in choosing the other members of the Commission. They would inquire into the alleged grievances of the Armenians, and would suggest remediary measures, as far as possible without any alteration of existing laws and regulations. || "Should it, however, be found that the existing laws do not suffice, they will suggest such modifications as may be necessary. || "His Majesty proposes to grant the Ambassador another audience after the Selamlik on Friday, when they will be able to resume their conversation on the Armenian question. || "His Majesty, in the full conviction that his Excellency is well disposed both towards himself personally and towards his country, trusts that his Excellency will redouble his efforts to assist him. He is convinced that the Ambassador will approve of the measures he is taking, and that they will produce an excellent effect in England both on the Government and on the general public." || Tahsin Bey then said, as if on his own account, that the attitude I had adopted had been a source of considerable annoyance and distress to the Sultan. The interests of Turkey and England were identical, and it was most important that they should remain firm allies. He knew that I entertained friendly sentiments towards the Sultan, and he hoped that at my next audience I would give His Majesty some proof of this feeling.

Nr. 10920. GROSSBRITANNIEN. — Derselbe an Denselben. Unterredung mit dem Sultan, der sich über den Ton der britischen Presse beschwert.

Pera, April 10, 1895. (Received April 22.)

Nr. 10920. Gross-britannien. 10. Apr. 1895. My Lord, || I had the honour to be received in private audience by His Imperial Majesty the Sultan after the ceremony of the Selamlik on Friday last, the 5th instant. His Majesty plunged at once *in medias res* and said that after reflection on our conversation of the 21st ultimo (reported in my despatch of the 27th March) he had appointed Turkhan Pasha, some time

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Ottoman Minister at Madrid, and lately Vali of Crete, as President of a Commission of Inquiry into the affairs of Armenia. The other members of the Commission would shortly be named, and he hoped it would be able to commence its labours in about ten days. He had selected Turkhan Pasha as an honest and intelligent official, who had given proof of his capacity when Governor-General in Crete. || His Majesty also said the Porte had given him a list of Armenians in prison, which was, however, unfortunately, incomplete and misleading. || He had observed with regret that the names of some political prisoners whose release he had ordered, still figured in this document, which also included persons condemned for ordinary crimes, such as murder and robbery. He had therefore ordered the preparation of a new and accurate list, and only the day before had personally desired the Minister of Justice and others specially occupied with the matter to lose no time in completing their labours. || I replied that I had already communicated to your Lordship, in my telegram of the 1st April, a message from His Majesty much to the same effect as what he had just said. In reply, I had been instructed to express the satisfaction of Her Majesty's Government at the action taken respecting Armenian prisoners. As to the introduction of reforms, Her Majesty's Government were gratified to hear that His Majesty proposed to deal seriously with the question. They were themselves elaborating a programme of reforms in concert with the Governments of France and Russia, and as soon as it was ready would communicate it to the Sublime Porte.

After a moment's reflection, the Sultan asked whether it would not be better for us to communicate directly with the Turkish Commission instead of preparing an independent scheme of reforms. I replied that I could express no opinion on the point without consulting my French and Russian colleagues. His Majesty pressed me to consult them on the subject, and repeated several times that he saw no need for our making a formal communication, and that it would be much simpler to come to an understanding by friendly discussion and unofficial exchange of ideas. || I said that I would of course mention His Majesty's views to the French and Russian Ambassadors, but that, in my opinion, it would be best to wait till the plan was complete, and then deal with it as a whole. When ready, it would be presented in the form most convenient to His Imperial Majesty. || The Sultan seemed disappointed, and wished to know the nature of the reforms contemplated. I replied that I was not at present at liberty to lay the details of the scheme before him, but that the guiding principle would be to give security and contentment to the Armenians by obtaining for them a fair share in the Administration. The reforms would be based mainly on existing Laws and Regulations, which were unfortunately now a dead letter, and they would contain nothing which would cause prejudice to the rights of the Moslem community. || The Sultan seemed relieved at this last statement, and said that under these circumstances he felt no cause for anxiety, as most of the Laws and Regulations had been

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made in his own reign. He also repeated several times that the Armenians had already a fair share in the Administration. I replied that this, though true in theory, was unhappily not true in practice, as was proved by the Returns sent me by British Consular officers. || His Majesty said he would send me a list of Armenian functionaries, and dilated at some length on the number who held appointments in the Civil List Administration or as servants in the Palace. I replied that I feared this was hardly enough to satisfy the Armenians. They required security for life, property, and honour in the provinces where they resided. || The Sultan insisted with some warmth that the continued existence of the Armenians was the clearest proof that they enjoyed that security; if the Ottoman Government in his reign and those of his ancestors had not followed this policy there would not be any Armenians left; as it was, they were rich and the Turks poor.

I said Her Majesty's Government had no doubt of the kind and benevolent intentions of His Imperial Majesty, but that, unfortunately, the local authorities were in the habit of sending false reports to Constantinople in order to conceal their own misdeeds. His Majesty expressed pleasure at the opinion entertained of his personal feelings, but asked whether my information respecting the conduct of the local authorities was based on conjecture or on accurate reports. I replied that for years I had been reading reports by Her Majesty's Consular officers, who had no bias against the Turks, and no object in misrepresenting the truth, and these reports had left no doubt in my mind that the Armenians were misgoverned and ill-treated. I then said, in corroboration of the statement that His Majesty was deceived by the local authorities, that I had been instructed by Her Majesty's Government to call His Majesty's attention to the manner in which signatures were obtained by force to telegrams and addresses dispatched to Constantinople, thanking His Majesty for the good government enjoyed by Armenians. The Sultan said he was at a loss to understand such conduct; he always treated even his servants with consideration, and was pained by harsh conduct towards subordinates. The Commission should most carefully inquire into these stories of signatures being obtained by force. || I then said I trusted His Imperial Majesty would not suppose that my Government or myself were animated by any hostile intentions; on the contrary, our desire was to improve the relations existing between the two countries. His Majesty thanked me, and expressed the hope that Her Majesty's Government would publish some statement to correct the hostile attitude of the press. I replied that they had no power to correct it, and that its present tone was in a great measure due to the refusal of the Turkish Government to allow correspondents to enter the country. The Sultan said this was only a temporary measure while the Commission was sitting; foreigners ignorant of the country and language must inevitably be deceived, and would be likely to call white black and black white. He again requested me to render him a service by making every effort to remove the opinions

hostile to himself and to Turkey now prevalent in England. He added a hope that the friendly disposition of Her Majesty's Government and my good-will might lead to a friendly settlement of the question. || I expressed the conviction that if His Majesty would adopt the advice which the three Powers would give him, the prosperity and stability of His Majesty's Empire and the well-being of his subjects would be materially increased.

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Philip Currie.

Nr. 10921. **GROSSBRITANNIEN.** — Derselbe an Denselben. Hat den Grossvezier auf die Gewaltthaten der türkischen Behörden in Armenien hingewiesen. Uebersendet einige Berichte darüber.

Pera, April 17, 1895. (Received April 22.)

My Lord, || I have the honour to state that I went yesterday to the Porte, and called the attention of Saïd Pasha to the increasing violence of the Turkish authorities in the country districts of the Armenian provinces. I also called his attention to the statements contained in the despatches, copies of which I have the honour to inclose herewith. I endeavoured to impress upon his Excellency the extreme gravity of the situation, and the danger of forcing on a crisis which might prove disastrous to the Turkish Empire. I urged that the provincial authorities should be plainly given to understand that they must act with the greatest circumspection, and should treat all classes of the population with justice and moderation, and that they should be plainly told that every act of injustice and violence, and every irregularity on the part of the civil or military authorities, would place the Government in a difficult position, and would be visited with the severest condemnation. || In order to insure attention being paid to my communication, I left with Saïd Pasha a Memorandum giving the substance of my language. ||

Nr. 10921. Gross-britannien. 17. Apr. 1895.

Mr. Block, who accompanied me, read extracts from the despatches, and will furnish Saïd Pasha with a summary of them. Philip Currie.

Beilagen.

Consul Graves an Sir P. Currie.

Erzeroum, April 1, 1895.

Sir, || I have the honour to report that several bad cases of oppression and extortion on the part of the local authorities are announced from the Caza of Keghi, in the south-west of the Sandjak of Erzeroum, as having occurred within the past few weeks. On the plea of collecting taxes, and by order of the Keghi Kaïmakam and police officers, bodies of gendarmes are said to visit the Armenian villages, where they behave in the most brutal manner, beating and torturing the men, and shamefully ill-using the women,

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while they live at free quarters upon the villagers. || The inhabitants of the villages Sevkili, Arikli, and Melikan have at last summoned courage to complain officially, and telegrams have been sent by them to the Vali, and to the Armenian Archbishop of Erzeroum. The Archimandrite Aristakes, Vicar of Keghi, has also complained that, on his making representations to the Kaïmakam on the subject of one of these acts of injustice, the latter only cursed and abused him, and publicly tore up the written application which he had presented to him. || My Russian colleague, during a recent interview with the Vali, mentioned these complaints to his Excellency, who, however, absolutely denied their truth, and declared that they had been trumped up by the Archimandrite for the purpose of giving trouble. Notwithstanding this denial, I learn that the chief of police, Servet Bey, has left Erzeroum with an escort of gendarmes, and it is believed that he has been ordered to proceed to Keghi to inquire into the alleged abuses. The Vali has also dispatched the Major of Gendarmerie, Mehmed Bey, to inquire into the outrage at Tchipod. || These and similar incidents are, no doubt, partly occasioned by the stringent orders from head-quarters to local authorities to collect whatever money can be extracted on account of taxes for the exhausted treasury, and by the way in which the latter now interpret such orders. The gendarmes have hardly returned from beating up the arrears of the past year, when they are sent back to the same village with orders to collect the full "verghi" tax for the year just begun, which is usually paid in instalments spread over the whole year. In cases of this kind, nearly the whole burden is, of course, made to fall upon the Christian minority, and since the Sasun massacres (the extent and nature of which are well known to every inhabitant of the country) have been allowed to go so long unpunished, the opinion has naturally gained ground with the worst class of Moslems, official and otherwise, that the Christians have been delivered into their hands to do with as they please. || This state of affairs, which extends to all the vilayets in this Consular jurisdiction, as your Excellency will have perceived from recent reports, may be expected to grow worse as the summer comes on. The Kurds will then come to take the little that the zaptiehs have left, and complete the ruin of the outlying Christian population, which is only to be averted by such strong and speedy action as the Turkish Government seems unwilling or unable to take.

R. W. Graves.

Résumé of a Report received from Keghi (Vilayet of Erzeroum).

Le 28 Octobre (v. s.), 1894.

LES déprédations des Kurdes sont ici, plus que jamais, à l'ordre du jour; une bande de douze brigands Kurdes est entrée dans la nuit de 17. Octobre (v. s.) dans le couvent de Sourpe Garabeth, à dix-sept heures de distance du chef-lieu du caza, et après avoir lié le chef gardien et les domestiques, a complètement saccagé et pillé le couvent. La dite bande a aussi emmené les

troupeaux du couvent. L'autorité Ecclésiastique Arménienne de Keghi a fait les démarches nécessaires, mais le Gouvernement ne s'est adressé à aucune mesure pour arrêter les brigands. ‖ Tandis que, d'un côté, les Kurdes commettent toute espèce de cruauté, les Agents du Gouvernement, d'un autre côté, par les vexations qu'ils mettent en pratique dans la perception des impôts, rendent la vie impossible à la pauvre population. ‖ Pressurer et maltraiter les Arméniens, sous prétexte de la perception des impôts, est érigé en système. On lie les Arméniens; on les bat et on les torture. Les gendarmes délégués à la perception, obligent partout la population à fournir gratuitement la nourriture, à eux et à leurs chevaux. ‖ Chaque jour des troupeaux appartenant à des Arméniens sont volés; les voyageurs allant d'une ville à l'autre rencontrent des voleurs en chemin. Si la misère causée par cet état de choses continue, la disparition de la race Arménienne dans ces parages n'est qu'une affaire de temps. ‖ Comme preuve de l'état d'esprit ici, nous signalerons le fait suivant:— ‖ Une bande de brigands a rencontré dernièrement quelques paysans, Arméniens et Musulmans, qui se rendaient de Keghi à Erzeroum pour vendre des bestiaux. Les brigands ont ordonné aux Musulmans de se retirer avec tout ce qu'ils avaient, et n'ont rien pris de leurs bestiaux; tandis que les Arméniens ont dû laisser entre les mains de ces malandrins tout ce qu'ils possédaient.

Résumé of a Report received from Keghi.

Le 4 Février (v. s.), 1895.

Les vexations des Agents du Gouvernement en ce qui concerne la perception des impôts continue. On va jusqu'à pendre la tête en bas ceux qui ne peuvent s'acquitter de leur dette, à cause de leur misère. ‖ Dernièrement la fièvre typhoïde et la rougeole régnaient ici en état épidémique. La maladie même n'a arrêté les Agents du Gouvernement. On est entré de force dans les maisons des malades et en plusieurs endroits on a vendu leurs matelas pour encaisser l'impôt. ‖ Dans les quarante-six villages se trouvant aux environs de Tokat la cruauté des gendarmes dépasse toute narration. ‖ Le Caïmacam de Keghi, qui montre une grande cruauté dans la perception des impôts du district, a été complimenté par le Vali d'Erzeroum pour son zèle! aussi il n'y a plus rien à espérer des autorités locale et provinciale, en ce qui concerne le soulagement de la population.

Telegrams received from Keghi.

Le 8 Mars (v. s.), 1895.

Tandis que nous nous trouvons incapables de nous acquitter des dîmes de moutons, cinq gendarmes, sont venus, le 3 Mars, dans notre village pour percevoir l'impôt militaire de l'année 1311. La perception se faisait régulièrement, pourtant les dits gendarmes, agissant contrairement à la volonté de Sa Majesté Impériale le Sultan, ont battus cruellement plusieurs personnes et

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brisant nos portes, ont capturé plus de vingt femmes, qu'ils ont emprisonnées dans un endroit situé dans le bazar, insultées et tenté d'outrage; ils ont exigé de ces pauvres femmes le paiement des dettes. || La majorité des personnes battues se trouve mortellement malades, par suite des blessures reçues. || Ces cruautés des gendarmes ont été rapportées au Caïmacam pour demander justice, mais le Caïmacam, au lieu de faire le nécessaire, nous a fait emprisonner. Le dit Caïmacam ainsi que le caissier du Gouvernement travaillent à dessein à envenimer la situation. Leurs agissements sont la conséquence de cette politique. || En nous vouant à la justice Impériale nous demandons l'envoi d'un fonctionnaire chargé d'enquête. (Suivent les signatures.)

Le 10 Mars (v. s.), 1895.

Les gendarmes avaient déjà fait vendre nos semences, matelas, &c., pour encaisser le reliquat de nos impôts de l'année financière, qui vient de finir. Le 5 Mars quatre gendarmes sont arrivés dans notre village pour percevoir les impôts de l'année 1311, qui a commencé le 1er Mars, et après avoir proféré des paroles outrageantes contre notre religion et nos honneurs ont cruellement battu nos enfants, dont l'un se trouve en état d'agonie || Ces gendarmes ont crié qu'en agissant ainsi ils exécutaient les ordres du Caïmacam et des agents de police; ces faits ont été rapportés au Caïmacam mais il n'a attaché aucune importance à nos plaintes. Nous nous vouons à la clémence Impériale pour porter plainte contre ces faits iniques. (Suivent les signatures.)

Le 9 Mars (v. s.), 1895

Le montant de nos impôts qour l'année 1310 était 40,000 piastres; 36,000 piastres en avait été payés; il ne restait que 4,000 piastres, représentant la dette des indigents et des habitants absents du village. Pourtant les zaptiés se sont emparés de nos meubles et même de nos moutons; nous avons été conduits au Commissariat de Police; là, le Chef de Police, sans s'enquérir de la quantité de la dette et de la valeur des objets saisis, a fait vendre à 700 piastres les dits objets, qui avaient une valeur de 3,000 piastres. Cette somme a été retenue pour compte de l'année 1310. || Pour les redevances de l'année financière 1311, qui a commencé le 1er Mars, quatre gendarmes sont arrivés le 3 et ont commencé la perception forcée des impôts, en proférant des paroles outrageantes contre notre religiön et nos honneurs. Ils ont fait coucher plusieurs d'entre nous par terre et nous ont fait battre avec une cruauté inouïe avec des gourdins. || Ces gendarmes déclarent que ces agissements ont été ordonnés par le Caïmacam et par les agents de police du chief-lieu du district. Ces gens veulent produire quelque nouvel incident pour couvrir les preuves de leur cupidité. (Suivent les signatures.)

Le 11 Mars (v. s.), 1895.

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La conduite du Caïmacam du Keghi, en ce qui concerne la perception des impôts, est contraire tant à la conscience qu'aux prescriptions de la loi. || Des 45,000 piastres, somme totale des impôts de notre ville pour l'année financière 1310, 4,000 piastres, représentant les dettes des indigents et de ceux des habitants qui se trouvent dans de villes éloignées, n'ayant pu être payés, le Caïmacam nous fait emprisonner trois ou quatre fois par semaine. Sans prendre en considération la sainteté de ces jours de Carême, il a fait prendre des dits indigents les seuls matelas qu'ils possédaient pour coucher dessus. Il a fait signer de force un écrit dans lequel il fait déclarer à la population que les dits indigents sont capables de s'acquitter de leurs dettes mais qu'ils ne paient pas par esprit d'opposition et de résistance.

(Signature.)

Le 14 Mars (v. s.), 1895.

Cinq gendarmes, préposés à la perception des impôts, s'étaient depuis longtemps installés dans notre village, où ils invitaient les habitants des villages environnants, et où ils obligeaient la population de les nourrir, hommes et montures. Tandis que les exigences de ces gendarmes formaient une charge bien lourde pour nous et causaient notre ruine, sept autres gendarmes sont arrivé, il y a déjà quelque temps, avec mission d'encaisser les impôts; et entre autres méfaits, se sont permis des outrages à l'honneur des femmes, ainsi qu'à notre religion; ils ont violemment battu plusieurs habitants, et ont pendu, la tête en bas, les nommés Boghoss, Mardik, Kirkor en les liant d'une double chaîne. Ces pauvres gens, qui ont perdu beaucoup de sang par leur nez, se trouvent actuellement au lit. || Les gendarmes déclarent ouvertement avoir agi par l'ordre des agents de police. Nous nous adressons à la justice de Sa Majesté Impériale le Sultan, pour que le nécessaire soit fait.

(Suivent les signatures.)

Le 14 Mars (v. s.), 1895.

Quelques gendarmes étant arrivés, 5 heures (à la Turque) de la nuit, à notre village, pour percevoir les impôts, ont brisé les portes et, entrant dans nos demeures, ont obligé nos femmes et nos enfants à quitter leurs lits; ils ont jeté nos couvertures et autres meubles dans la rue, battu sans cause plusieurs d'entre nous et affolé nos femmes et enfants; ils ont emprisonné, dans un endroit choisi par eux, une trentaine de femmes, qu'ils ont insultées. | Ces gendarmes ne paient pas la contre-valeur de leur nourriture et des fourrages de leurs chevaux; comme il n'y a aucun arriéré d'impôt, ils déclarent ouvertement qu'ils sont venus par esprit de vexation. En annonçant ces faits, nous nous vouons à la justice Impériale.

(Suivent les signatures.)

Nr. 10922. **GROSBRITANNIEN, FRANKREICH, RUSSLAND.** — Denkschrift, der Pforte am 11. Mai 1895 überreicht von den Dragomans der Botschaften in Konstantinopel.

Mars-Avril 1895.

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Le projet ci-annexé contenant l'ensemble des dispositions qu'il serait nécessaire d'introduire dans l'organisation administrative, financière, et judiciaire des vilayets mentionnés, il a paru utile d'indiquer dans un Mémorandum séparé certaines mesures qui dépassent le cadre d'un Règlement administratif, mais qui sont la base même de ce Règlement et dont l'adoption par la Sublime Porte est d'une importance primordiale || Ces différents points sont: — || 1. La réduction éventuelle du nombre des vilayets. || 2. Les garanties pour le choix des Valis. || 3. L'amnistie des Arméniens condamnés ou détenus pour faits politiques. || 4. La rentrée des Arméniens émigrés ou exilés. || 5. Le réglement définitif des procès pour crimes et délits de droit commun, actuellement en cours. || 6. L'examen de l'état des prisons, et de la situation des prisonniers. || 7. La nomination d'un Haut Commissaire de surveillance pour la mise en application des réformes dans les provinces. || 8. La création d'une Commission Permanente de Contrôle à Constantinople. || 9. La réparation des dommages subis par les Arméniens victimes des événements de Sassoun et de Talori, &c. || 10. La régularisation des affaires de conversion religieuses. || 11. Le maintien et la stricte application des droits et privilèges concédés aux Arméniens. || 12. La situation des Arméniens dans les autres vilayets de la Turquie d'Asie.

1. Réduction Eventuelle du Nombre des Vilayets.

Les réformes devant être appliquées dans les six vilayets d'Erzeroum, Bitlis, Van, Sivas, Mamouretul-Aziz, et Diarbékir, il y aurait lieu d'étudier la réduction du nombre de ces provinces. Une nouvelle répartition, qui permettrait de réaliser une certaine économie dans les dépenses générales de l'Administration, faciliterait peut-être le choix des Valis en en diminuant le nombre et fortifierait leur autorité en améliorant leur situation matérielle. Elle devrait étre faite de façon que les populations fussent réparties en groupes ethnographiques le plus homogènes possible dans les différentes unités administratives de chaque province.

2. Nomination des Valis garantie.

Les Puissances, attachant la plus grande importance au choix des Valis, dont dépendra essentiellement l'efficacité des réformes prévues par le Traité de Berlin, sont résolues à faire à la Sublime Porte des représentations chaque fois que le choix se porterait sur des personnes dont la nomination pourrait présenter des inconvénients; c'est pourquoi elles trouveraient nécessaire que

le Gouvernement Impérial Ottoman, afin d'éviter sur ce point des malentendus fâcheux, voulût bien tenir officieusement les Représentants des Puissances au courant des choix qu'il aurait l'intention de faire.

3. Amnistie.

Sa Majesté Impériale le Sultan accordera une large amnistie aux Arméniens accusés ou condamnés pour des faits politiques et qui ne seraient pas convaincus de participation directe à des crimes de droit commun.

4. Rentrée des Émigrés.

Tous les Arméniens à quelque religion qu'ils appartiennent, qui auraient été exilés sans jugement soit hors du territoire de l'Empire Ottoman, soit hors des provinces qu'ils habitaient, ou qui auraient été forcés d'émigrer à l'étranger poussés par la misère ou par crainte des événements, sans y avoir pris une part criminelle, pourront librement rentrer en Turquie ou dans des provinces qu'ils avaient dû quitter, sans être inquiétés par les autorités. Ils rentreront en possession des biens qu'ils possédaient avant d'avoir quitté le pays.

5. Réglement des Procès.

Tous les procès pour crimes ou délits de droit commun, actuellement en cours d'instruction ou de jugement, devront être réglés sans retards. Des Commissions Judiciaires, déléguées spécialement de Constantinople, seront envoyées dans chaque vilayet et procéderont rapidement, au chef-lieu de chaque sandjak, au réglement de toutes les instances en suspens. || Leurs décisions ne seront susceptibles d'aucun recours. || Ces Commissions se composeront d'un Président et de deux Assessseurs, dont l'un Musulman et l'autre Chrétien. Elles seront accompagnées d'un Juge d'Instruction et d'un Procureur. L'un des deux sera Chrétien.

6. Etat des Prisons.

De hauts fonctionnaires seront délégués de Constantinople pour inspecter les prisons dans chaque Vilayet, se rendre compte de leur état matériel, de la situation des prisonniers, et du traitement dont ils sont l'objet. Ils s'enquerront de la conduite des Directeurs et des gardiens des prisons et pourront proposer la révocation immédiate et la mise en jugement de ceux qui n'auraient pas observé, à l'égard des condamnés ou des détenus, les prescriptions de la loi. || Chacun de ces hauts fonctionnaires sera accompagné d'un adjoint, qui sera Chrétien s'il est Musulman, et inversement. || Ils devront, dans un délai de quatre mois au plus, rédiger un Rapport où ils consigneront toutes leurs observations sur le résultat de leur mission, ainsi que sur les modifications et améliorations à introduire dans le service et l'aménagement des prisons.

7. Haut Commissaire de Surveillance pour l'Application des Réformes.

Dès que les nouveaux Valis auront été nommés, ils se rendront au chef-lieu de vilayet, en vue d'organiser l'administration de la province sur les bases

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nouvellement adoptées. || Ils procéderont à l'installation des Mutessarifs et des Caïmacams nommés par le Gouvernement, à la répartition territoriale des nahiés dans chaque caza; ils feront dresser les listes électorales et procéder à l'élection des Conseils de Nahiés, ainsi qu'à celle des Mudirs. || Ils veilleront à ce que les Collecteurs d'impôts soient élus sans retard et à ce que le budget de la province et la répartition des charges entre les différentes subdivisions administratives soient établis dans le plus bref délai possible. || Un Haut Commissaire, délégué spécialement par Sa Majesté Impériale le Sultan, et dont le choix serait approuvé par les Puissances, sera chargé de surveiller l'exécution prompte et exacte de ces réformes. Pendant toute la durée de sa mission, il aura pleine et entière autorité sur les Valis qui le tiendront au courant de toutes les mesures qu'ils prendraient pour l'application des nouveaux Règlements. || Le Haut Commissaire Impérial recevra les Pétitions et les voeux des habitants et devra en tenir compte dans les limites des nouveaux Règlements. Il terminera sa mission par une inspection générale des vilayets et aura le pouvoir de réformer les mesures qui n'auraient pas été prises en conformité avec la loi et les nouveaux Règlements. || Le Haut Commissaire Impérial sera accompagné dans sa mission par un adjoint qui sera Chrétien s'il est Musulman, et inversement.

8. Commission Permanente de Contrôle.

Il sera institué à la Sublime Porte une Commission Permanente de Contrôle, chargée de surveiller l'exacte application des réformes. || Cette Commission sera présidée par un haut fonctionnaire de l'Empire, civil ou militaire. Elle se composera de six membres pris parmi les hauts fonctionnaires civils de l'État competents en matières administrative, juridique, et financière; trois d'entre eux seront Musulmans et les trois autres Chrétiens. || Elle se réunira à la Sublime Porte au moins une fois par mois. || Elle aura pour mission de surveiller la stricte application des Lois et Règlements, de signaler à la Sublime Porte les irrégularités qu'elle constaterait dans l'Administration ainsi que les fonctionnaires qui manqueraient à leurs devoirs; de recevoir les Pétitions et d'examiner les voeux et doléances de la population ainsi que tous les rapports qui pourraient lui être adressés par les représentants des communautés. || C'est à elle que les Ambassades feront parvenir directement par l'intermédiaire de leurs Drogmans, tous les renseignements et communications qu'elles jugeraient nécessaires. || Elle pourra demander aux Valis des rapports sur les questions qu'elle serait ainsi appelée à examiner. Deux fois par an, les Gouverneurs-Généraux devront lui adresser une note détaillée sur l'état des prisons et la situation des prisonniers. || Elle pourra déléguer, quand elle le jugera à propos, un ou plusieurs de ses membres pour faire des tournées d'inspection dans les vilayets. || Elle présentera à la Sublime Porte des rapports sur toutes ces questions et aura le droit de correspondance directe avec les Valis et les Départements Ministériels compétents.

9. Réparations à accorder aux Arméniens Victimes des Evénements de Sassoun, Talori, etc.

Les Arméniens qui auraient eu à souffrir soit dans leurs personnes, soit dans leurs biens des événements de Sassoun, Talori, etc., recevront des indemnités et réparations convenables. || Le Haut Commissaire Impérial de surveillance sera chargé de faire les investigations et de prendre les mesures nécessaires à cet effet.

10. Conversions Religieuses.

La Sublime Porte veillera à ce que les conversions religieuses soient entourées de toutes les garanties découlant des principes établis par le Hatti-Houmayoun de 1856 (Articles 10, 11, et 12) et trop souvent éludés dans la pratique. || Les personnes qui voudraient changer de religion devront être majeures et ne pourront être autorisées à faire leur déclaration de changement de religion qu'après un délai d'une semaine pendant laquelle elles seront placées sous la surveillance du chef de leur culte.

11. Maintien des Privilèges des Arméniens.

La Sublime Porte donnera des instructions précises aux autorités pour empêcher le retour des infractions contraires aux droits et privilèges découlant pour le clergé Arménien et la communauté du Sahmanatroutioun de 1863 (Statut Organique des Arméniens) et des Bérats octroyés par les Sultans.

12. Situation des Arméniens dans les autres Vilayets de la Turquie d'Asie.

Dans les autres vilayets de la Turquie d'Asie où la population Arménienne de certains sandjaks forme une partie notable de la population générale, il sera nommé auprès du Vali un fonctionnaire Chrétien spécial chargé des intérêts des Arméniens. || Ce fonctionnaire recevra les Pétitions et réclamations de la population Arménienne et les fera connaître au Vali qui leur donnera, d'accord avec lui, la suite qu'elles comportent. || Ce fonctionnaire adressera en outre régulièrement des Rapports à la Commission Permanente de Contrôle à Constantinople. || Dans ces vilayets, s'il se trouve certaines localités (telles que Hadjin (Vilayet d'Adana) ou Zeitoun (Vilayet d'Alep), etc.), où les Arméniens forment la majorité de la population, la division administrative actuelle sera modifiée et les prescriptions du projet de réformes sur la constitution des nahiés seront appliquées aux localités ainsi érigées en unités administratives séparées.

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Chapitre I.—Valis.

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Article 1er. Les Valis seront choisis parmi les hauts dignitaires de l'État, sans distinction de religion, présentant les plus grandes garanties d'intelligence, de capacité, et de probité. On s'abstiendra en conséquence de nommer aux fonctions de Valis des personnes dont la désignation présenterait, de notoriété générale, des inconvénients d'ordre public ou politique. || La Sublime Porte, convaincu que l'application efficace des mesures et réformes qui suivent dépend essentiellement des hautes qualités des personnes qui seront placées à la tête de l'Administration des Vilayets, se fera un devoir de veiller à ce que les fonctionnaires que le Gouvernement aurait l'intention de désigner possèdent les capacités requises.

Art. 2. Les Valis ainsi nommés ne pourront être révoqués ou changés que dans le cas où ils seront reconnus après constatation légale coupables d'actes contraires aux lois. || Ils seront nommés pour cinq ans et leurs pouvoirs pourront être renouvelés.

Art. 3. Les Valis seront assistés par les Adjoints (Moavins) qui seront Chrétiens lorsque le Vali sera Musulman, et Musulman lorsque le Vali sera Chrétien. Les Moavins seront, comme les Valis, nommés par Sa Majesté Impériale le Sultan. || Ceux-ci seront spécialement délégués par le Vali pour la réception des Pétitions des habitants du Vilayet, pour la surveillance de la police et des prisons et pour le contrôle de la perception des impôts. Ils seront chargés de l'intérim du vilayet en l'absence du Vali. Les Valis seront assistés d'un Conseil-Général Provincial élu dans des conditions à déterminer et qui aura pour mission de délibérer sur les objets d'utilité publique tels que l'établissement de voies de communication, l'organisation de caisses de crédit agricole, le développement de l'agriculture, du commerce et de l'industrie, et la propagation de l'instruction publique.

Chapitre II.—Mutessarifs.

Art. 4. Les Mutessarifs placés à la tête des sandjaks seront nommés par Sa Majesté Impériale le Sultan. Dans chaque vilayet, un certain nombre de postes de Mutessarifs seront occupés par des Chrétiens. Les Mutessarifs Chrétiens seront placés dans les sandjaks où se trouve le plus grand nombre de Chrétiens. Dans les vilayets où il n'y aurait qu'un seul Mutessarif celui-ci

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*) Zugleich den Botschaftern Deutschlands, Oesterreich-Ungarns und Italiens mitgeteilt.

sera nécessairement Chrétien si le Vali est Musulman. || Le Mutessarif sera assisté d'un Moavin qui sera Chrétien si le Mutessarif est Musulman, et vice versa. Le Moavin sera chargé de l'intérim du sandjak en l'absence du Mutessarif.

Chapitre III.—Caïmacams.

Art. 5. Les Caïmacams seront nommés par Sa Majesté Impériale le Sultan sur la désignation du Vali. Ils seront choisis par ce dernier parmi les personnes jouissant de la confiance de la population et remplissant les conditions requises par les Règlements en vigueur. Dans chaque sandjak un certain nombre de postes de Caïmacams seront occupés par des Chrétiens. || Les Caïmacams Chrétiens seront placés dans les cazas où se trouve le plus grand nombre de Chrétiens.

Art. 6. Dans tous les cas le nombre des Mutessarifs et des Caïmacams Chrétiens ne pourra être inférieur au tiers du nombre total des Mutessarifs et des Caïmacams du vilayet. || Le Caïmacam comme le Mutessarif sera assisté d'un Moavin, qui devra être Chrétien si le Caïmacam est Musulman, et vice versa. || Auprès des Mutessarifs et des Caïmacams siégera un Conseil analogue au Conseil-Général Provincial. || Le Conseil du caza sera élu par les Conseils des nahiés, le Conseil du sandjak par les Conseils des cazas.

Le Conseil-Général Provincial sera élu par les Conseils des sandjaks. || Aucun fonctionnaire ne pourra être membre de ces différents Conseils. || Ces Conseils seront présidés respectivement par le Vali, le Mutessarif, et le Caïmacam. || Ils sont composés de quatre membres sans compter le Président, dont deux Musulmans et deux Chrétiens.

Chapitre IV.—Cercles Communaux („Nahiés").

Art. 7. Chaque caza sera subdivisé en un certain nombre de nahiés (cercles communaux). || Le nahié est une subdivision territoriale qui comprendra plusieurs villages, avec leurs propriétés immeubles, terrains, pâturages, et autres terres, dont le plus important sera le chef-lieu. || La circonscription de chaque nahié sera autant que possible fixée de telle façon que les villages d'une même religion soient groupés dans un même nahié; d'une façon générale, il devra être tenu compte des conditions topographiques et ethnographiques, ainsi que des convenances des populations. || Le nahié comprendra 2,000 habitants au moins, et 10,000 au plus. || Tout groupe de villages faisant partie d'un nahié, et dont les habitants ne seront pas inférieurs en nombre à 1,000, pourra demander à être constitué en nahié séparé, à condition de prendre à sa charge les dépenses de la nouvelle Administration.

Art. 8. Chaque nahié sera administré par un Mudir, assisté d'un Consei élu par la population, et composé de quatre membres au minimum et huit aul maximum. || Ce Conseil choisira parmi ses membres le Mudir et un Adjoint. Le Mudir devra appartenir à la classe qui forme la majorité des habitants, et l'Adjoint à l'autre classe. Le Conseil aura, en outre, un Secrétaire.

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Art. 9. Si les habitants d'un nahié sont d'une même classe, les membres du Conseil seront élus exclusivement parmi les habitants appartenant à cette même classe; si la population du Cercle Communal est mixte, la minorité devra être représentée proportionnellement à son importance relative à condition qu'elle comprenne au moins vingt-cinq maisons.

Art. 10. Les Mudirs recevront sur le budget du nahié une allocation convenable; des appointements fixes seront également alloués au Secrétaire du Conseil. || Un local spécial sera affecté au Conseil du nahié et au siège de l'Administration du Cercle Communal.

Art. 11. Les membres du Conseil du nahié devront être sujets Ottomans, avoir des intérêts dans le nahié, être âgés de plus de 30 ans, et choisis parmi ceux qui paient à l'État une contribution annuelle de 100 piastres, et qui n'ont pas subi de condamnation.

Art. 12. Dès que les membres du Conseil auront choisi parmi eux le Mudir, son nom sera communiqué au Vali, qui le confirmera officiellement après avoir constaté que les conditions légales ont été remplies.

Art. 13. Les Imams, les prêtres, les professeurs d'écoles, et tous ceux qui se trouvent au service du Gouvernement, ne pourront exercer les fonctions de Mudir.

Art. 14. Les membres du Conseil seront renouvelés par moitié chaque année; les Mudirs resteront en fonctions pendant deux ans. Le Mudir et les membres ne pourront être réélus qu'une seule fois de suite.

Art. 15. Les attributions du Mudir et des membres du Conseil, ainsi que le mode de leur élection et de leur remplacement, seront réglés suivant les prescriptions du Règlement sur l'Administration des Communes, Articles 14, 16, 17, 20, 21, 22, 23, 24, 25 et 26, et du "Projet de Loi sur les Vilayets de la Turquie d'Europe" (Titre 12).

Art. 16. Les villages compris dans le Nahié auront chacun un Mukhtar; si un village contient plusieurs quartiers, et si les habitants sont divisés en différentes classes, il y aura un Mukhtar pour chaque quartier et pour chaque classe d'habitants.

Art. 17. Aucun village ne pourra, pour partie, relever de deux Cercles Communaux à la fois quels que soient sa position et le nombre de ses habitants.

Chapitre V.—Police.

Art. 18. Les agents de police sont recrutés, sans distinction de religion, dans la population du nahié par le Conseil du Cercle Communal, en nombre suffisant pour les besoins locaux et pour la participation au service de la gendarmerie du vilayet.

Art. 19. Les agents de police du nahié sont placés sous les ordres du Mudir. Ils sont commandés par des Chefs qui exercent des fonctions semblables à celles de Tchaouchs et des On-Bachis. Ils seront armés, et porteront un uniforme à déterminer dans la suite. Ils seront rétribués sur le budget

du nahié; en dehors de leur service ils pourront vaquer à leurs travaux ordinaires. || Ils seront montés ou non montés selon les besoins du service. || Les non-Musulmans astreints au paiement du Bedel-i-Askerie, qui se trouveront engagés dans la police, seront dispensés du paiement de cette taxe pendant toute la durée de leur service.

Art. 20. Les agents de police du nahié doivent en premier lieu assurer d'une façon permanente le bon ordre et la sécurité sur le territoire et les routes du nahié. Ils doivent en outre, d'àprès les ordres du Mudir, contribuer à fournir l'escorte de la Poste et prêter main forte au Mudir pour l'exécution des sentences judiciaires et la mise en vigueur des prescriptions de la loi.

Chapitre VI.— Gendarmerie.

Art. 21. Il sera organisé dans chaque province en vertu d'un Règlement spécial un corps de gendarmerie provincial dont les officiers et soldats seront choisis parmi toutes les classes des sujets de l'Empire. Le recrutement de la gendarmerie est fait dans le vilayet parmi tous les habitants en état de servir et sans distinction de race ni religion. Elle est recrutée pour les deux tiers parmi les agents de police du nahié moitié parmi les agents Musulmans, moitié parmi les agents appartenant aux communautés non-Musulmanes. L'autre tiers sera composé de Tchaouchs, et de Bach-Tchaouchs, pris parmi les plus capables de l'armée régulière. Au point de vue de la discipline et de l'instruction la gendarmerie dépend du Ministère de la Guerre. Elle est entretenue et soldée aux frais du vilayet. La solde des officiers ne pourra être inférieure à celle des offfciers du même grade de l'armée régulière.

Chapitre VII.— Prisons.

Art. 22. Dans les prisons, les individus arrêtés et soumis à la détention préventive ne devront pas être confondus avec les individus incarcérés à la suite d'une condamnation. Les prisons devront offrir aux détenus les conditions indispensables d'hygiène, et on veillera à ce qu'ils ne soient pas soumis à des traitements vexatrices. || Les Valis nommeront les Directeurs et les gardiens des prisons, parmi lesquels il y aura un certain nombre d'agents de police et de gendarmes.

Chapitre VIII.— Comité d'Enquête Préliminaire.

Art. 23. Les Valis établiront dans les chefs-lieux des vilayets et des sandjaks des Comités d'Enquête Préliminaire composés d'un Président et de deux membres, Musulman et non-Musulman. || Ces Comités auront pour mandat de s'enquérir des raisons qui ont motivé l'arrestation des prévenus par les gendarmes et d'ordonner qu'ils soient immédiatement interrogés et emprisonnés dans le cas où l'acte qui leur est attribué serait de nature à entraîner des pénalités édictées par les lois: de faire mettre en liberté immédiate, sous la surveillance de la police, ceux dont la conduite ne motiverait pas l'application de la loi, de veiller à ce que personne ne soit retenu sans nécessité et illé-

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galement en prison. Ils visiteront dans ce but les prisons et surveilleront la situation des prisonniers. || Les Comités adresseront des Rapports qu'ils remettront aux Valis, indiquant parmi les individus amenés à la police, ceux qui ont été mis en liberté et ceux qui ont été maintenus en état d'arrestation.

Chapitre IX.—Contrôle des Kurdes.

Art. 24. Pour l'administration des Kurdes nomades, le Vali aura sous ses ordres, dans chaque vilayet, un Achiret-Memouri. Ce fonctionnaire aura le droit d'arrêter les brigands et autres malfaiteurs et de requérir leur comparution devant les Tribunaux ordinaires. || Il devra avoir sous ses ordres une escorte suffisante, et pourra en outre, requérir l'assistance de la police locale. || Un certain nombre de fonctionnaires placés sous son autorité accompagneront chaque tribu dans ses migrations annuelles. Ils exerceront sur elle un pouvoir de police, feront arrêter tous les malfaiteurs et les défèreront aux Tribunaux ordinaires. Les limites des campements et pâturages des Kurdes nomades seront nettement déterminées. Les migrations ne devront pas être la cause de dommages pour les habitants des territoires traversés ou occupés provisoirement par les tribus nomades. Si celles-ci commettent quelque empiètement ou excès sur les biens ou les personnes des villageois, toute migration leur sera désormais interdite. || Les Règlements existants sur le port d'armes seront strictement appliqués à toute la population Kurde, tant sédentaire que nomade. On s'efforcera d'inculquer aux populations nomades les principes de la vie sédentaire en les accoutumant aux travaux des champs, et à cet effet on leur assignera des lots de terrain dans les localités où leur installation ne pourra nuire à la tranquillité et au bienêtre des populations sédentaires. || Le droit d'élection et d'éligibilité n'appartient pas aux individus faisant partie des populations non sédentaires ou qui ne sont pas établies à titre définitif et permanent sur le territoire d'un nahié.

Chapitre X.—Cavalerie Hamidié.

Art. 25. Dans le cas où il serait jugé nécessaire de se servir de régiments de la cavalerie Hamidié en dehors des périodes d'instruction prescrites par les Règlements en vigueur, ces troupes ne pourront être employées et cantonnées que conjointement avec les troupes de l'armée régulière dont elles ne devront pas dépasser le tiers. || En temps ordinaire et en dehors du service, les cavaliers Hamidiés ne doivent porter ni uniformes, ni armes. Dans les mêmes cas ils sont justiciables des Tribunaux ordinaires ainsi qu'il est déjà prescrit dans les Règlements Hamidiés en conformité avec les prescriptions en usage pour les Rédifs (Code Militaire Ottoman, Article 14).

Chapitre XI.—Question des Titres de Propriété.

Art. 26. Des Commissions spéciales composées d'un Président et de quatre membres, deux Musulmans et deux Chrétiens, seront chargés de reviser les titres et droits de propriété et de redresser les injustices et les irrègula-

rités qu'elles pourront constater. || Une Commission spéciale élaborera le mode le plus propre à garantir dans l'avenir les droits de propriété.

Chapitre XII.—Perception des Dîmes.

Art. 27. Tous les impôts y compris la dîme, seront perçus directement sous l'autorité du Mudir par des Percepteurs élus par les Conseils des nahiés. || Tous les habitants du nahié sont solidairement responsables du paiement de la totalité de l'impôt qui lui est assigné.

Art. 28. L'affermage des dîmes et la corvée demeurent abolis. || Chaque centre administratif, en commençant par le nahié, prélèvera sur les impôts qu'il aura recueillis les sommes nécessaires aux dépenses de son Administration, d'après un budget fixé et approuvé par le Gouvernement. De même l'Administration financière du vilayet prélèvera sur le total des impôts de la province les sommes nécessaires à l'administration du vilayet, y compris les dépenses des travaux publics et de l'instruction publique. || La population ne pourra en aucun cas être tenue de fournir gratuitement soit à la troupe, soit aux fonctionnaires en service, le logement et les provisions nécessaires à leur entretien. || Dans le cas de vente forcée pour non paiement des impôts, on veillera strictement à ne pas priver la population des objets de première nécessité ni de ses instruments de travail.

Chapitre XIII.—Justice.

Art. 29. Il y aura dans chacune des localités du nahié un Conseil des Anciens présidé par le Mukhtar et dont la mission sera de concilier à l'amiable les contestations entre les habitants de la localité.

Art. 30. Il y aurau dans chaque caza, proportionnellement au nombre des nahiés, un nombre suffisant de Juges de Paix nommés par le Ministre de la Justice sur la désignation du Vali. L'un d'eux devra nécessairement résider au chef-lieu du caza. Le tiers de Juges de Paix du caza devront être Chrétiens. Les Juges de Paix Chrétiens seront placés dans les centres où la population Chrétienne est la plus nombreuse.

Art. 31. Le Juge de Paix connaîtra— || 1. En matière criminelle sans appel, des contraventions passibles de peines de simple police et à charge d'appel les délits n'entraînant pas une peine de plus 500 piastres d'amende et de trois mois de prison. || 2. En matière civile sans appel, toute action personnelle, civile et commerciale, jusqu'à concurrence de 1,000 piastres. Et à charge d'appel, les mêmes actions jusqu'à concurrence de 5,000 piastres.

Art. 32. Le Juge de Paix tiendra aussi son Tribunal en conciliation. Il pourra sur la demande des parties désigner des Arbitres pour décider des contestations dont l'objet dépasserait 5,000 piastres. Dans le cas de sentence arbitrale, les parties renonceront à tout appel.

Art. 33. Les Juges de Paix tenant lieu de Tribunaux de cazas, les appels de leurs décisions en matière civile seront portés devant le Tribunal du sandjak.

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Art. 34. Les condamnations à la prison prononcées en dernier ressort par les Juges de Paix seront purgées dans la prison du caza. Les Mudirs devront prêter assistance aux Juges de Paix pour l'exécution des sentences au civil comme au criminel.

Art. 35. Les Tribunaux du caza étant supprimés, les Tribunaux du sandjak connaîtront des affaires civiles dépassant 5,000 piastres, et des appels des décisions des Juges de Paix en matière civile. Ils n'auront qu'une Chambre Civile, la Chambre Criminelle devant être remplacée par la Cour d'Assises ambulante. Les Tribunaux du sandjak sont composés d'un Président Magistrat diplômé, nommé par le Ministre de la Justice, et de deux membres choisis par le Vali sur une liste dressée par les Conseils des sandjaks.

Art. 36. Les sections criminelles des Tribunaux du sandjak sont ainsi remplacées par des Cours d'Assises ambulantes. Les Cours d'Assises sont composées d'un Magistrat Président pris parmi les membres de la Cour Supérieure du vilayet. Il leur sera adjoint deux membres désignés par la Cour d'Appel, parmi les Juges de Paix du sandjak, dont l'un Musulman et l'autre Chrétien. Les Juges de Paix recevront une indemnité spéciale pendant la oturnée de la Cour d'Assises.

Art. 37. La Cour d'Assises siégera tour à tour dans tous les cazas, y compris le chef-lieu du vilayet et les chefs-lieux des sandjaks où sa présence sera reconnue nécessaire. Elle connaîtra, en appel, des décisions des Juges de Paix en matière de délit, et sans appel des crimes ainsi que des délits entraînant une peine de plus de 500 piastres d'amende et plus de trois mois de prison. || Les sentences rendues par la Cour d'Assises en matière de crime ne sont susceptibles que du recours en cassation.

Art. 38. En arrivant au caza le Président de la Cour d'Assises se fera remettre par le Juge d'Instruction un État des causes instruites susceptibles de lui être déférées immédiatement, et un État des causes en cours d'instruction. S'il constate au sujet de ces dernières quelques irrégularités ou des lenteurs non-motivées, il adressera immédiatement un Rapport au Ministère de la Justice. || A son arrivée au caza, comme à son départ, la Cour d'Assises visitera les prisons, s'enquerra de la situation des prisonniers, et vérifiera les écrous.

Art. 39. La cour Supérieure du Vilayet est composée d'un Président et d'un nombre de membres suffisant pour connaître des affaires civiles qui lui sont dévolues, et pour fournir des Présidents aux Cours d'Assises ambulantes. | Elle fonctionne en matière civile, comme Cour d'Appel, et en matière criminelle comme Cour d'Assises. Elle est régulièrement constituée dès qu'elle réunit deux membres et un Président. Elle comprend en outre un Procureur-Général et un nombre suffisant de Substituts.

Art. 40. Les décisions des Juges de Paix, et les Jugements des Tribunaux de tout ordre seront libellés en langue Turque. Le texte Turc sera suivant les localités et les parties en cause, accompagné d'une traduction langue Arménienne.

Nr. 10924. GROSSBRITANNIEN. — Der Botschafter in Berlin an den Minister des Auswärtigen. Die deutsche Regierung hat dem Sultan die Annahme der Reformvorschläge empfohlen.

Berlin, May 18, 1895. (Received May 20.)

Nr. 10924. Grossbritannien. 18. Mai 1895.

My Lord, || I have the honour to inform your Lordship that Baron von Marschall told me yesterday, with reference to the scheme of reform in Armenia, which has been submitted to the Sultan by the Ambassadors of England, France, and Russia, that the Emperor had instructed Prince Radolin, before he quitted Constantinople, to give the Sultan good advice, and to recommend him to change his system of administration in his provinces in Asia Minor; but that the Sultan, instead of accepting this advice in the spirit in which it was tendered, regarded, it as the result of an intrigue against him on the part of his own Grand Vizier. || Now, however, His Majesty had applied to the Emperor for his good offices to moderate the action of the three Powers; and Baron von Marschall said that a prompt answer had been sent to the effect that the Sultan had much better give way to their demands, and that Germany could not intervene. Edward B. Malet.

Nr. 10925. GROSSBRITANNIEN. — Der Botschafter in Konstantinopel an den Minister des Auswärtigen. Die türkische Regierung bereitet ein Gegenprojekt vor.

Constantinople, May 25, 1895, 6.45 p. m. (Received May 25.)

Nr. 10925. Grossbritannien. 25. Mai 1895.

(Telegraphic.) || I have just received a visit from Munir Bey, who came to tell me that the Ministers had drawn up a counter-project of reforms, which was ready for presentation to-day. The Sultan, however, had rejected it, and had given orders that a new reply to our proposals should be drafted, to be communicated to us by the middle of next week. || I repeated to him the warning which I had addressed yesterday to the Grand Vizier and Saïd Pasha, that there could be no question of any concession on the part of Her Majesty's Government in regard to the principle of the reforms or the guarantees proposed, though matters of detail were open to discussion. I had already sent Mr. Block to the Palace to communicate the substance of this warning to the Chief Secretary, for the information of the Sultan.

Nr. 10926. GROSSBRITANNIEN. — Derselbe an Denselben. Dasselbe.

Constantinople, May 25, 1895, 11 p. m. (Received May 25.)

Nr. 10926. Grossbritannien. 25. Mai 1895.

Telegraphic. || Mr. Block was sent for this evening by Saïd Pasha to the Palace, where a Council of Ministers was sitting. || His Excellency sent me, by the Sultan's orders, the following official message: — || "The reason why the answer to the proposals of the three Powers, which was promised

Nr. 10926. Gross-britannien. 25. Mai 1895.

for to-day, has been delayed, is that sufficient time had not been allowed for the Ministers to examine them. || "His Majesty hopes that the British Ambassador will not be uneasy on that account, as he may expect an answer by the middle of the week. || "The project is now being examined by the Ministers, and their Report will be submitted without delay to the Sultan."

Nr. 10927. **GROSSBRITANNIEN.** — Der Minister des Auswärtigen an den Botschafter in Konstantinopel. Fordert schleunige Antwort von der Pforte.

Foreign Office, May 27, 1895.

Nr. 10927. Gross-britannien. 27. Mai 1895.

Telegraphic. || The reports contained in your Excellency's telegrams of the 25th instant do not inspire us with any confidence as to the intentions of the Sultan in regard to the scheme of Armenian reforms presented by the Ambassadors. || You should suggest to your Russian and French colleagues that, if no answer is received from the Turkish Government by the 30th instant, a joint communication should be made by you insisting on a categorical reply before the 1st June, and stating that the main provisions of the scheme of reforms are the minimum of what could be accepted as adequate by the three Governments. || Your Excellency should endeavour also to arrive at some agreement with your two colleagues as to the manner in which pressure should be exercised in the event of the answer not being favourable, for in that case it will be necessary to employ pressure, either joint or separate. || The first point, however, is that a date for the answer should be fixed. || The feeling in this country is becoming more acute every day.

Nr. 10928. **GROSSBRITANNIEN.** — Der Botschafter in Konstantinopel an den Minister des Auswärtigen. Die drei Dragomane fordern von der Pforte schleunige Antwort.

Constantinople, May 28, 1895. (Received May 28.)

Nr. 10928. Gross-britannien. 28. Mai 1895.

Telegraphic. || I have spoken to my French and Russian colleagues with reference to your Lordship's telegram of yesterday's date. || We have agreed that our Dragomans should go to the Porte to-morrow and state that the three Ambassadors have taken act of the Sultan's promise that they should have his answer by the middle of the week, and that it must be received to-morrow evening, or on Thursday at the latest. || If we do not receive the answer by Thursday, the question of the further joint communication will then be considered. || The French and Russian Ambassadors promised to make urgent representations at the Palace, in the sense of the message, to be delivered to the Porte, and against any modification of the main points of the scheme. || Neither of my colleagues was prepared to express any opinion as to the manner in which it might be possible to apply pressure at the Porte.

Nr. 10929. GROSSBRITANNIEN. — Derselbe an Denselben. Die Pforte bittet um Aufschub.

Constantinople, May 30, 1895, 5.45 p. m. (Received May 30.)

Telegraphic. || Following is a translation of the statement which Saïd Pasha delivered this afternoon to the three Dragomans: — || "We have not materially had time to examine the reform proposals, and you are therefore requested to ask your Ambassadors officially on the part of the part of the Sultan to agree to our delaying the communication of our answer till after the Baïram fêtes."

Nr. 10929. Grossbritannien. 30. Mai 1895.

Nr. 10930. GROSSBRITANNIEN. — Derselbe an Denselben. Antwort des englischen und französischen Botschafters auf die letzte Note der Pforte.

Constantinople, May 30, 1895, 6.35 p. m. (Received May 30.)

Telegraphic. || With reference to my previous telegram to your Lordship of to-day, my French colleague and I have agreed to send our Dragomans to Saïd Pasha at once with a message to the following effect: — "Having communicated the request of the Sublime Porte for delay to my Ambassador I am now instructed to reply that, in view of the Sultan's promise that his answer should be received by the middle of this week, my Ambassador expects the answer to-day. In the event of no communication being received from the Palace, his Excellency will consult with his colleagues as to what attitude they should adopt." || I am sending a messenger M. de Nélidoff, who is already at Buyukdéré, to ask him to make the same communication as soon as possible, and to come up to town for a meeting at the French Embassy to-morrow afternoon.

Nr. 10930. Grossbritannien. 30. Mai 1895.

Nr. 10931. GROSSBRITANNIEN. — Der Minister des Auswärtigen an den Botschafter in Petersburg. Russland will die Pforte nicht drängen.

Foreign Office, May 30, 1895.

Sir, || The Russian Ambassador called here to-day, and informed me that he had received instructions from Prince Lobanoff to make the following communicatio to me:— || Her Majesty's Ambassador at Constantinople had announced to his Russian colleague that, in the event of delay in the answer of the Porte to the project of reforms for the Armenian provinces of Asiatic Turkey, which had been submitted to the Sultan by the three Powers, the British Government, having regard to the excited state of feeling in this country on the subject of the Armenians, would be compelled to have recourse to measures of constraint. || Prince Lobanoff had in consequence telegraphed to M. de Nélidoff that in no case would the Russian Government associate itself with such measures. || I said that Sir Philip Currie had sounded his

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colleagues as to the steps which could be taken to put pressure upon the Porte, but that Her Majesty's Government had not come to any decision as to the course which they should pursue if their demands were not complied with.

Kimberley.

Nr. 10932. GROSSBRITANNIEN. — Der Botschafter in Konstantinopel an den Minister des Auswärtigen. Der russische und französische Botschafter lehnen weiteres Drängen ab.

Constantinople, May 31, 1895, 7.15 p. m. (Received May 31.)

Nr. 10932. Gross-britannien. 31. Mai 1895.

Telegraphic. || With reference to my telegram of yesterday, I have the honour to inform your Lordship that this morning our three Dragomans were summoned to the Palace, where they were told by Tahsin Bey, the Sultan's First Secretary, that Saïd Pasha had a communication to make to them. They thereupon called on his Excellency, who read them a message in Turkish, of which the following is a translation:— || "The Embassies will be unofficially informed before Monday morning, when Baïram commences, what is to be done upon the Memorandum which the Dragomans communicated unofficially on the part of the three Ambassadors on the 11th instant." || My French and Russian colleagues and myself met this afternoon to consider this answer. Their opinion was that we should await the receipt of the promised communication, as they considered that this message was in a more binding form than those previously sent, and their information led them to believe that His Imperial Majesty would accept the plan of reforms, subject to possible modifications on four points;— || 1. The appointment of Valis for five years. || 2. The subdivision of the vilayets. || 3. The direct communication of the Dragomans with the proposed Commission. || 4. The appointment of a number of Christian functionaries proportionate to the various creeds, instead of a fixed proportion of one-third. || My colleagues were not, under these circumstances, prepared to discuss the question of the pressure to be exercised, which your Lordship instructed me to raise in your telegram of the 27th instant. We are to have another meeting on Monday, when we shall consider the communication promised by the Sultan before that date.

Nr. 10933. TÜRKEI. — Antwort auf die Reformvorschläge der drei Mächte Nr. 10922 und 10923.

21. Juni 1895.

Nr. 10933. Türkei. 21. Juni 1895.

Traduction. || Le projet de réformes administratives de vilajets présenté à Sa Majesté Impériale le Sultan par leurs Excellences les Ambassadeurs, a fait l'objet d'une étude des plus attentives.

1. Le principal désir et les intentions du Sultan étant de faire accroître et développer d'une manière équitable la prospérité de tout son Empire et de ses sujets, Sa Majesté Impériale à jugé convenable de ne point restreindre

l'application de ces réformes administratives à une seule partie de son Empire, mais d'en faire bénéficier tous les vilayets.

2. La plupart des points contenus dans le dit projet étant conformes aux dispositions du Règlement sur les vilayets, contenu dans le premier volume du "Destour", p. 680, et daté du 7 Djemazi-ul-Akhir, 1281, ainsi qu'aux dispositions du Règlement sur l'Administration Générale des Vilayets, daté du 29 Chewal, 1287, contenu dans le même volume du "Destour", p. 625, Sa Majesté Impériale, afin de pouvoir maintenir le principe de centralisation, veut assurer l'application de ces dispositions, sauf de celles qui ont trait au Conseil-Général, et décide que l'on exécute celles des dispositions qui n'ont pas été encore appliquées. Toutefois, comme dans les Règlements existants il n'y a pas de mention concernant le maintien pendant cinq ans de Valis à leurs postes, ni concernant les Conseils permanents à être formés sous la présidence respective des Valis, Mutessarifs, et Caïmacams, les attributions que l'on voudrait confier à ces fonctionnaires sont déjà comprises dans les attributions régulières des Conseils Administratifs. Ces Conseils ne sont pas dès lors matériellement nécessaires.

3. En ce qui touche les Articles concernant la formation de Tribunaux, de la gendarmerie, et de la police, ils ne sont pas conformes aux dispositions des Lois et Règlements en vigueur. Mais des Inspecteurs judiciaires seront nommés. On augmentera la gendarmerie et la police dans les cazas afin de contrôler d'une façon permanente les Tribunaux et les prisons, d'assurer la prompte expédition des procès et l'ordre dans les nahiés et les villages. Il en sera détaché un nombre suffisant pour les affecter au centre des nahiés. On prendra toutes les mesures voulues pour soumettre à une discipline régulière les tribus nomades et dans chaque localité, où il existe un Tribunal de Première Instance, on y instituera aussi, en cas de besoin, un Tribunal Correctionnel de Première Instance.

4. Il a été décidé de nommer et d'employer dans les postes administratifs, dans la gendarmerie et la police, indépendamment des Musulmans, des sujets Ottomans non-Musulmans habitants de l'Empire, dans la proportion du chiffre total des populations Musulmanes et non-Musulmanes habitant dans chaque vilayet.

Considérations concernant le Mémorandum.

1. Sous le point de vue de la science ethnographique, il est recommandé d'amoindrir le nombre des vilayets Asiatiques, afin que les différentes classes des habitants soient groupées ethnographiquement dans un vilayet. Cependant, en vue de faciliter les procédés du Gouvernement, quant à ce qui regarde le choix des employés, et l'exécution de ses propres devoirs, le mode actuel de la formation des eyalets a été une fois adopté. Or, le changement proposè, loin de faciliter l'administration du pays, la rendra, au contraire, beaucoup

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plus difficile, et même impracticable du point de vue de la science ethnographique, attendu que dans chaque contrée les habitants sont mélangés.

2. Il est dit dans le Mémorandum que dans le choix et la nomination des Gouverneurs avis soit donné aux Ambassades d'une manière officieuse. Cependant, comme il est arrêté que les Gouverneurs-Généraux soient élus parmi ceux qui se sont distingués en capacité, et que ceux qui sont considérés comme incapables de faire l'application des réformes soient changés, les Ambassadeurs admettront naturellement que la communication officieuse demandée serait dérogatoire à l'indépendance du Gouvernement Impérial garantie par les Traités.

3. Une partie des Arméniens qui étaient emprisonnés pour délits politiques, et qui n'ont pas été convaincus de crimes ordinaires par les Tribunaux, ont déjà obtenu le pardon Impérial, et comme il a été déjà décidé, la mise en liberté prochainement de ceux des Arméniens dont le pardon avait été demandé également, satisfaction est donnée sur ce point.

4. On recommande le rappel des Arméniens qui administrativement avaient ésé expulsés ou qui avaient été éloignés de leur patrie, ainsi que ceux qui par peur ont émigré en pays étrangers et que les immeubles et les terres qui leur appartenaient leur soient restitués. Or, parmi ces individus il y en a qui ne sont pas sujets de la Porte et d'autres qui sont reconnus comme nuisibles: Sa Majesté Impériale le Sultan permettra le retour de ceux dont on dit qu'ils avaient été expulsés et éloignés de leurs pays, ou qui avaient déjà émigré en pays étrangers, après que leur identité, leur nationalité, et leur conduite seront examinées, et qui en pareil cas fourniront des garanties de leur future bonne conduite. D'un autre côté, comme les droits de propriété de tout sujet du Gouvernement Impérial sont garantis par la loi, on ne voit pas la raison de la demande de la restitution des immeubles aux individus susmentionnés.

5. Cet Article concerne l'envoi d'une Commission à chaque vilayet, pour interroger les personnes arrêtées et qui sont sous jugement, ainsi que d'accélérer le jugement des crimes et des délits ordinaires. || En effet, il a été toujours le désir de Sa Majesté que les procès et tous les procédés judiciaires soient poursuivis sans relâche, et il est naturellement nécessaire que les mesures à prendre ne dérogent à la procédure établie. Par conséquent, la compétence qu'on veut attribuer aux Commissions en question ne saurait concorder avec la procédure judiciaire en vigueur. En outre, les Inspecteurs, dont un Musulman et un non-Musulman, qui seront nommés pour chaque province avec mission d'accélérer le jugement de tous les procès, rendent naturellement inutile la nomination de pareilles Commissions.

6. Cet Article concerne la nomination de préposés pour l'inspection des prisons. Or, comme ce devoir est compris dans la mission des Inspecteurs susmentionnés, il n'y a plus nécessité d'envoyer à cet effet d'autres functionnaires.

7. Cet Article concerne l'envoi d'un Haut Commissaire aux provinces Asiatiques pour surveiller la mise en exécution des réformes: cependant, attendu que la fidèle exécution des réformes appartient au Gouverneur qui en a la responsabilité et qui sera choisi parmi les plus capables, et attendu que la Commission qui a été établi au Ministère de l'Intérieur est investie aussi de la maison de faire de pareilles enquêtes, et d'envoyer immédiatement un ou plusieurs Inspecteurs partout où la nécessité l'exige, soit pour la formation du vilayet, soit pour quelque question de l'administration en prenant les susdits Inspecteurs dans le Département auquel appartient la question, on ne voit pas la nécessité de l'envoi d'un Haut Commissaire.

8. Cet Article concerne la formation d'une Commission permanente composée de six membres Musulmans et non-Musulmans avec un Président choisi parmi les hauts fonctionnaires civils ou militaires, et qui se réunira au moins une fois par mois à la Sublime Porte. Cette Commission aura les attributions d'inspecter l'exacte et fidèle exécution des Règlements, de dénoncer à qui de droit ceux des employés qui agissent dans l'administration du pays contrairement à la loi, et ceux qui ne remplissent pas leur devoir dans le temps voulu, d'entendre les plaintes de habitants, d'examiner les Rapports qui leur seront présentés de la part des Chefs de communautés, de recevoir les communications des Ambassades qui leur seraient faites en cas de nécessité par le moyen de leurs Drogmans respectifs, d'envoyer un ou plusieurs de ses membres pour faire une enquête dans une province et d'avoir le droit de correspondre avec les Départements de l'État ainsi qu'avec les Gouverneurs-Généraux. Or, le recours des Chefs de communautés en ce qui regarde leurs affaires religieuses est le Ministère des Cultes. || Quant aux affaires ordinaires intérieures, leur transaction entre la Sublime Porte et les Drogmans ne saurait que produire des controverses fréquentes, et il est à craindre qu'elle n'ait pour résultat de créer une question politique et des difficultés désagréables entre la Sublime Porte et les Ambassades. En dehors de ces inconvénients, MM. les Ambassadeurs savent bien que l'indépendance du Gouvernement Impérial a été garantie par les Traités de Paris et de Berlin, et spécialement dans le Traite de Paris il est clairement établi que les Puissances, ni seules ni en commun, n'interviendront dans les affaires de la Turquie, et cette clause a été confirmée et corroborée dans le Traité de Berlin. || Par conséquent, MM. les Ambassadeurs voudront bien admettre que le Gouvernement Impérial ne peut que repousser l'obligation proposée dans le 8[e] Article de recevoir des communications par le moyen des Drogmans. En outre, les attributions de la Commission d'Enquête qui sera établie dans le Ministère de l'Intérieur étant de nature à produire le résultat désiré, la nomination d'une autre Commission n'est point nécessaire.

9. Il est suggéré de faire une enquête pour constater les pertes qu'ont subi des Arméniens dans les événements de Sassoun et de Talori afin de leur accorder des indemnités. Sa Majesté Impériale a donné jusqu'à présent pour eux la somme de £ T. 15,000. Cependant, lorsque le Gouverneur du pays

Nr. 10933. Türkei. 21. Juni 1895.

rapportera qu'il y a des personnes qui mériteraient la liberalité Imperiale elle ne leur manquera pas.

10. Cet Article concerne la condition à savoir que ceux qui veulent changer leur religion soient âgés de 21 ans, et qu'il ne leur soit accordé le changement avant qu'ils ne soient soumis pendant une semaine à la surveillance de la communauté. || La liberté des religions dans l'Empire se trouve sous la sauvegarde de la loi. Et attendu que le changement de religion est une question de conscience et qu'aucune violence n'est exercée de la part de qui que ce soit à cet égard, la procédure suivie jusqu'à présent est confirmée, et les personnes qui veulent accepter la religion de l'Islam devront être majeures suivant la loi et seront placées dans un local de confiance où il sera accordé pendant une semaine aux Chefs de la communauté de les visiter.

11. On demande l'observation complète des Règlements accordés aux Arméniens en 1863 et des clauses de tous les Bérats que leur avaient été octroyés. Les procédés du Gouvernement en ce qui concerne les concessions faites, soit aux Arméniens, soit aux autres communautés non-Musulmanes, sont connus par tout le monde, et le Gouvernement Impérial continuera à observer toujours ces concessions.

12. Cet Article concerne la nomination d'un Chrétien comme Mouavin du Vali pour la sauvegarde des intérêts des Arméniens qui se trouvent dans les autres provinces Asiatiques de l'Empire, ainsi que l'assimilation de l'Administration des districts de Hatchin et de Zeytoun à celle des six eyalets. || On fait observer qu'attendu qu'il y a des membres laïques et spirituels de la communauté Arménienne dans le Conseil Administratif et dans les Tribunaux Nizamés, ce serait contraire au Firman Impérial, qui établit l'égalité des sujets de Sa Majesté le Sultan, que d'accorder un privilège spécial aux Arméniens; ce serait provoquer une hostilité entre les communautés, et en outre, les réformes projetées étant basées sur leur application à tous les vilayets de l'Empire en conformité avec les Règlements sur l'administration des vilayets, il n'y a pas lieu de nommer spécialement des Arméniens et de faire l'application des réformes à un ou deux districts spécialement.

13. Suivant les Règlements et les décisions spéciales concernant les époques de l'instruction militaire des régiments des cavaliers Hamidiés et de l'invitation au service militaire, Sa Majesté confirme de nouveau le Règlement fait par une Commission de l'Etat-Major, de laquelle Goltz Pacha était membre, d'après lequel ils sont obligés de se soumettre aux ordres qu'ils recevront, soit pour leur instruction, soit pour leur service, à des époques déterminées, ou bien en dehors de ces époques.

14. Les habitants de Mouch et d'Erzeroum et des environs, en vue d'assurer la conservation de leurs troupeaux, ont l'habitude, ab antiquo, d'aller pendant la belle saison là où il y a des pâturages et de retourner pendant l'hiver aux districts et aux villages, ceux-ci on ne saurait les appeler nomades, seulement comme il y a des "Achirets" parmi eux qui n'habitent que des

tentes, dorénavant le Commandant Militaire de la province fera accompagner "l'Achiret" par un officier ayant à sa suite un nombre suffisant de soldats; et de son côté le Vali enverra avec eux un Commissaire de Police. || Les localités qu'ils traverseront seront désignées d'avance et on aura tous les soins possibles de préserver les habitants de toute spoliation et de tout dommage qui pourraient être entrepris par ces "Achirets." En outre, on aura soin de leur faire observer le Règlement général en vigueur sur le port d'armes; d'ailleurs, le Gouvernement Impérial a déjà décidé que ceux des "Achirets" qui sont habitants de tentes fussent fixés, si cela est possible, et dans le cas contraire on désignera leurs localités d'hiver et d'été ainsi que celles de leur passage. || En général il n'est pas vrai de dire que ces "Achirets" sont rien que des nomades.

15. Le Département du Defter-i-Hakani, en vertu d'un Iradé Impérial, enverra à chaque province un Inspecteur permanent ayant pour mission d'examiner les affaires de propriété immobilière, d'en assurer la propriéte, d'empêcher le retard de procédures qui causent des dommages aux habitants, de découvrir et de mettre à la lumière les droits qui sont cachés, et d'agir en conformité des Règlements spéciaux. || Le Gouverneur de la province leur attachera des personnes, Musulmanes ou Chrétiennes, parmi les Notables, qui jouissent de la confiance des habitants et qui ont de l'expérience; et soit le Vali, soit les autres fonctionnaires civils veilleront à ce que l'enquête en question soit faite convenablement et que le but désiré soit atteint.

Nr. 10934. **GROSSBRITANNIEN.** — Der Botschafter in Petersburg an den Minister des Auswärtigen. Unterredung mit Fürst Lobanoff.

St. Petersburgh, June 4, 1895. (Received June 4.)

Telegraphic. || I have de honour to acknowledge the receipt of your Lordship's telegram of the 3rd instant. || In conversation with me this afternoon, Prince Lobanoff, speaking very openly about Armenia, said he had never looked upon the presentation of the scheme of reforms as an ultimatum to the Sultan, or considered that, in the event of the Sultan declining to accept it or making counter-proposals, the Ambassadors would be justified in using threatening language. Russia would certainly not join in any coercive measures, and M. de Nélidoff had therefore been instructed to send home the full text of the Sultan's reply, and to take no further steps until he had received instructions. || His Excellency expresses the hope that your Lordship will consult him with regard to any measures that may become necessary after consideration of the reply of the Sultan; in no circumstances, however, will the Russian Government adopt coercive measures or consent to the creation in Asia Minor of a district in which the Armenians should have exceptional privileges, and which would constitute the nucleus of an independent

Nr. 10934. Grossbritannien. 4. Juni 1895. kingdom of Armenia, such being evidently the object the Armenian Committees have in view.

Nr. 10935. GROSSBRITANNIEN. — Der Botschafter in Konstantinopel an den Minister des Auswärtigen. Unterredung mit Said Pascha.

Constantinople, June 5, 1895, 7.30 p. m. (Received June 5.)

Nr. 10935. Grossbritannien. 5. Juni 1895. Telegraphic. || Following with reference to my telegram of the 3rd instant:— || In accordance with the Sultan's orders Saïd Pasha has paid me two visits, and on both occasions attempted to induce me to enter into a discussion on the terms of His Imperial Majesty's answer to the reform proposals. || I positively refused to do so in accordance with the course agreed upon with the French and Russian Ambassadors. || Beyond this fact, there was nothing in the conversation of sufficient interest to be worth repeating to your Lordship. || I have communicated what passed to my French and Russian colleagues, who entirely concur in my language. || Saïd Pasha has not seen either of them, the former having been unable to receive his Excellency, and the latter being at his country house at Buyukdéré. || The consequences which may follow upon the refusal of the plan of reforms are evidently causing the Sultan some anxiety, and he may possibly withdraw it and substitute a favourable reply. || However, it is not possible for any one to foretell with any certainty what steps His Imperial Majesty may decide to take.

Nr. 10936. GROSSBRITANNIEN. — Botschafter in Petersburg an den Minister des Auswärtigen Fürst Lobanoff will die Pforte nicht drängen und tadelt die Agitation des armenischen Komitees in London.

St. Petersburgh, June 4, 1895. — (Received June 10.)

Nr. 10936. Grossbritannien. 4. Juni 1895. My Lord. || During a conversation which I had with Prince Lobanoff this afternoon I mentioned to his Excellency that your Lordship had informed me by telegraph that you had told M. de Staal, in reply to his communication that the Russian Government would in no case associate themselves with measures of constraint against Turkey with regard to the question of Armenian reforms, that Her Majesty's Government had nod taken any decision as to the course to be pursued in the event of the Sultan refusing to comply with our demands. || Prince Lobanoff said that he would speak to me frankly on the subject. He said that although the three Ambassadors at Constantinople had elaborated and presented to the Sultan a scheme of reforms for Armenia, this by no means gave them the right of resorting to coercive measures, or indeed to threatening language, if the Sultan declined to accept it, or put forward counter-proposals. He had never concealed from me his

opinion that the proposed scheme was open to objection, and he certainly never considered it in the light of an ultimatum to the Sultan which was to be followed by coercive measures if His Majesty refused to accept it. On learning, therefore, from the Russian Ambassador at Constantinople that Sir Philip Currie had consulted him as to the measures which might become necessary, his Excellency had instructed M. de Nélidoff to forward to St. Petersburgh the full text of the Sultan's reply, and to take no steps until he should have received further instructions. || His Excellency hoped that a full consideration of the Sultan's reply might enable the three Governments, who were in a better position than their Ambassadors at Constantinople to consider the question calmly, to come to an understanding on the subject, and he trusted that your Lordship would consult him as to the course which should be pursued, but he feared that Her Majesty's Government, urged on by public opinion, or rather the so-called public opinion, which he believed had been the work of the Armenian Committees, would be inclined to adopt a course with which Russia could not associate herself. The fact was that the Armenian Committees in London and elsewhere aimed at the creation in Asia Minor of a district in which the Armenians should enjoy exceptional privileges, and which would form the nucleus ("noyau") of a future independent Armenian kingdom, and to this Russia would not and could not agree. || Prince Lobanoff added that he had already mentioned to me the agitation which existed among the Armenians in Russian territory, and he had now received a further report from the Minister of the Interior on the subject, which, howewer, he had not yet had time to read, as he had only just returned from his weekly audience of the Emperor at Tsarskoe Selo. || I thanked Prince Lobanoff for the very frank manner in which he had spoken to me on this subject, as a clear statement of the views of each Government was the only way of arriving at a satisfactory understanding, and I promised his Excellency to report at once to your Lordship the substance of the language he had used to me, which I attempted to embody in my telegram of this day's date.

Frank C. Lascelles.

Nr. 10937. TÜRKEI. — Verbalnote an die Botschafter von Grossbritannien, Frankreich und Russland über die armenischen Reformen.

Sublime Porte, le 17 Juin, 1895.

Il ressort des déclarations faites précédemment et en dernier lieu par leurs Excellences MM. les Ambassadeurs d'Angleterre, de France, et de Russie, que ces trois Puissances se basant uniquement sur l'Article LXI du Traité de Berlin, ont fait connaître leur manière de voir au sujet des réformes; qu'en dehors de l'exécution des engagements contenus dans le dit Article, elles ne demandent pas du Gouvernement Impérial un nouveau droit de surveillance, et qu'il n'entre dans leur pensée de formuler aucune proposition qui ne serait

Nr. 10937. Türkei. 17. Juni 1895.

pas conforme aux lois et règlements établis. || Le Gouvernement Impérial prend acte de ces déclarations et des assurances données par MM. les Ambassadeurs comme quoi leurs Gouvernements n'ont jamais songé à porter, par les réformes en question, la moindre atteinte aux droits souverains de Sa Majesté Impériale le Sultan, et en exprime ses remercîments aux Puissances. || Les dispositions et Articles du Mémorandum et du projet présentés par les trois Ambassadeurs à la date du 11 Mai, 1895, et qui ne seraient pas contraires aux lois et règlements de l'Empire sont, ainsi que cela a déjà été arrêté et confirmé, acceptés en principe. Sont exceptés toutefois certains points et détails du Mémorandum et du projet qui exigent examen et discussion. Seulement, si les Puissances précitées ont quelque observation justifiée à faire dans les limites de la faculté découlant de l'Article LXI du Traité de Berlin, au sujet de l'exécution des réformes et si, de même qu'elles s'adressent de tous temps au Ministre des Affaires Étrangères par l'entremise de leurs Drogmans, elles font leurs communications au dit Département suivant l'usage établi et en vigueur dans l'Empire, leurs Excellences les Ambassadeurs peuvent être assurés que les cas dont ils auront ainsi donné avis ou communication seront référés par le Ministre des Affaires Étrangères à qui de droit et poursuivis sans aucune négligence. Un fonctionnaire digne de considération à tous égards sera nommé et envoyé sur les lieux par le Gouvernement Impérial avec mission exclusive et speciale d'inspecter et surveiller avec le plus grand soin l'exécution des réformes. Lors de l'application de ce projet de réformes les raisons plausibles motivant les modifications qui pourraient être nécessitées par les besoins locaux seront communiquées aux Puissances. Le Gouvernement Impérial déclare à leurs Excellences les Ambassadeurs qu'en vue de sauvegarder les droits souverains de Sa Majesté Impériale le Sultan et ceux de son Empire, il est prêt à procéder à l'exécution immédiate des réformes conformément à l'Article LXI du Traité de Berlin et en se basant sur l'Article LXIII de cet Acte. || En vue de maintenir d'une façon équitable le principe d'égalité et de justice, le Gouvernement Impérial, lorsqu'il aura a procéder à l'organisation, agira en tenant compte de la proportion du nombre de ses sujets. || Il est bien entendu que le Gouvernement Impérial ne donne aux Puissances d'autre attribution que la faculté qui leur est conférée par le Traité de Berlin.

Nr. 10938. GROSSBRITANNIEN, FRANKREICH, RUSSLAND. — Antwort der Dragomane der drei Botschafter in Konstantinopel auf die Verbalnote.

Nr. 10938. Grossbritannien, Frankreich, Russland. 20. Juni 1895.

Le 20 Juin, 1895.

L'Ambassadeur m'a chargé de vous dire qu'il transmettrait à son Gouvernement votre note de ce jour, et qu'il attendrait des instructions pour y répondre. || Dès à présent voici les observations que cette note lui suggère: —

1. Jusqu'à présent les communications entre Sa Majesté Impériale et les

Ambassadeurs relatives à la question visée par la note étaient officieuses. En adressant une note verbale aux Ambassadeurs la Porte semble vouloir donner à la question un caractère plus officiel.

Nr. 10938. Gross-britannien, Frankreich, Russland. 20. Juni 1895.

2. Les Ambassadeurs n'ont pas basé leur projet sur le Traité de Berlin, ils n'ont fait aucune déclaration à ce sujet et c'est la Porte elle-même qui vise le Traité dans sa note.

3. La note parle d'Articles du projet des Ambassadeurs qui seraient acceptés en principe et de points et détails pouvant donner lieu à discussion.

Pour éclairer son Gouvernement sur les intentions de la Porte, l'Ambassadeur demande quels sont les Articles acceptés en principe, et quels sont les points et détails pouvant donner lieu à discussion. || La réponse à ces questions implique la solution des autres points visés par la note.

Nr. 10939. GROSSBRITANNIEN. — Der Minister des Auswärtigen an die Botschafter in Paris und Petersburg. Die Pforte soll zu einer Erklärung aufgefordert werden.

Foreign Office, June 19, 1895.

Nr. 10939. Gross-britannien. 19. Juni 1895.

Telegraphic. || Sir P. Currie's telegrams, reporting the latest communications between the three Ambassadors and the Turkish Government on the subject of the scheme of Armenian reforms, have been repeated to your Excellency. || I request you to communicate their substance to the Minister for Foreign Affairs, and to state to his Excellency that Her Majesty's Government propose that instructions should be sent to the three Ambassadors at Constantinople to call upon the Turkish Government for a reply within forty-eight hours, explaining clearly their intentions with regard to the scheme, in order that the Governments may be in a position to decide what course they shall pursue.

Nr. 10940. GROSSBRITANNIEN. — Der Botschafter in Petersburg an den Minister des Auswärtigen. Fürst Lobanoff ist einer solchen Aufforderung abgeneigt.

St. Petersburgh, June 21, 1895. (Received June 21.)

Nr. 10940. Gross-britannien. 21. Juni 1895.

Telegraphic. || With reference to your Lordship's telegram of the 19th instant, Prince Lobanoff is unable, before taking the orders of the Emperor, to reply officially to your Lordship's proposal that a reply should be demanded from the Porte within forty-eight hours, but he does not personally see the use of thus pressing the Porte, and strongly objects to doing so. || His Excellency considers that, in view of the fact that the Grand Vizier has only lately come into office, and that he seems to favour the reforms, more time should be allowed him, especially as, from his past history, he offers better guarantees than any of his predecessors of being able to carry them out satisfactorily.

Nr. 10941. GROSSBRITANNIEN. — Der Minister des Auswärtigen an den Botschafter in Petersburg. Russland lehnt eine solche Aufforderung ab.

Foreign Office, June 22, 1895.

Nr. 10941. Gross-britannien. 22. Juni 1895.

Sir, || The Russian Ambassador called at this Office to-day, and made the communication, for which your telegram of the 21st instant had prepared me, with regard to the proposal to demand an explicit reply from the Porte within forty-eight hours on the project of Armenian reforms. || M. de Staal said that the Emperor was unable to agree to this proposal, as His Majesty did not think there was sufficient ground for making a communication of such gravity, especially in view of the consequences which might result if the reply of the Turkish Government should prove unfavourable.

Kimberley.

Nr. 10942. GROSSBRITANNIEN. — Der Botschafter in Konstantinopel an den Minister des Auswärtigen. Der französische und russische Botschafter sollen eine Erklärung von der Pforte verlangen.

Constantinople, June 24, 1895, 7.30 p. m. (Received June 24.)

Nr. 10942. Gross-britannien. 24. Juni 1895.

Telegraphic. || To-day I have learnt from the Russian and French Ambassadors that their Governments have instructed them to press for an early answer from the Porte in order that they may be in a position to consider the situation. || Communications respecting the reforms have been passing between the Palace and the Porte and the two Embassies, and there are grounds for hoping that in the next twenty-four hours a communication of a more satisfactory nature may be made to us.

Nr. 10943. GROSSBRITANNIEN. — Derselbe an Denselben. Der Sultan wird eine Kommission zur Prüfung der Reformprojekte ernennen.

Constantinople, June 26, 1895, 3.50 p. m. (Received June 26.)

Nr. 10943. Gross-britannien. 26. Juni 1895.

Telegraphic. || With reference to my telegram of the 24th instant, Turkhan Pasha this morning summoned the three Dragomans to the Porte, and informed them that he expected to receive during the afternoon an Iradé from the Sultan, appointing an Inspector of Reforms — not a High Commissioner. He did not know who it would be, and his name would not be submitted to the approval of the Powers. || His Excellency also delivered to them the following message: — || "A Commission is to meet at once to examine and discuss which are the Articles of the Memorandum and project of the Ambassadors, that are accepted in principle, and which are the points and details reserved for discussion. The Commission will consist of the Ministers

of the Interior, of Justice, Public Instruction, and Foreign Affairs, and the Under-Secretary of the Grand-Vizier." We can hardly expect any satisfactory results from a Commission so composed.

Nr. 10943. Grossbritannien. 26. Juni 1895.

Nr. 10944. GROSSBRITANNIEN. — Der Botschafter in Petersburg an den Minister des Auswärtigen*). Unterredung mit Lobanoff über die Differenzen zwischen England und Russland.

St. Petersburg, July 3, 1895. (Received July 8.)

Nr. 10944. Grossbritannien. 3. Juli 1895.

My Lord, || In the course of conversation this afternoon, Prince Lobanoff told me that he had seen a letter addressed by Mr. Gladstone to a correspondent whose name it was not necessary to mention, in which he had expressed his regret that there appeared to be a divergence of opinion between England and Russia as regards the Armenian question. Prince Lobanoff had informed Mr. Gladstone's correspondent, who had consulted him as to the reply which should be returned, that there certainly was a divergence of opinion between the two countries, and that it was impossible for Russia, on account of her geographical position and the large number of Armenians living on Russian territory to countenance any scheme which might lead to the creation of anything in the nature of an autonomous State in Asia Minor. Russia had always been considered the protector of the Christians in the Turkish dominions, and she would be only too happy to obtain greater securities for their welfare and the protection of their lives and property, but her direct interests on the frontier forbade her to indulge in the philanthropic dreams which seem to prevail in England, whose interests, on account of her insular position and distance from the Armenian districts, were not directly affected. || I told Prince Lobanoff that I quite understood the position which the Russian Government had taken up with regard to the Armenian question, and that I had done my best in the despatches which I had addressed to your Lordship's predecessor in office to explain this position, but at the same time I trusted, that the three Ambassadors at Constantinople might be able to continue to act together with the view of obtaining some improvement in the condition of the Armenians. || His Excellency replied that the Ambassadors were still acting together, and he hoped they might continue to do so. All that he had done had been to instruct M. de Nélidow to be careful not to go too far ("s'avancer trop") in suggesting reforms to the Porte. || His Excellency repeated the arguments which he had previously used to me, and observed that the Russian Government was averse to undertaking any responsibility for the administration of any part of the Turkish dominions. || In connection with this subject, Prince Lobanoff told me that he had recently read a report which had been drawn up by a Russian officer in the Caucasus,

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*) Seit dem 26. Juni Marquis Salisbury. Red.

Nr. 10944. Grossbritannien. 3. Juli 1895.

who had great knowledge of the Asiatic provinces of Turkey. This Report was based in a great measure on the Reports drawn up by Colonel Trotter and seemed to show the Armenian population was not so numerous as we were now asked to believe. Frank C. Lascelles.

Nr. 10945. GROSSBRITANNIEN. — Der Botschafter in Konstantinopel an den Minister des Auswärtigen. Die Pforte will durch Shakir Pascha die Ausführung der Reformen überwachen lassen.

Constantinople, July 18, 1895, 11 p. m. (Received July 18.)

Nr. 10945. Grossbritannien. 18. Juli 1895.

Telegraphic. || The following communication sent to the Porte by the Sultan was read to-day by the Foreign Minister to the Russian, French, and English Dragomans: — || "His Imperial Majesty has at heart the welfare of all his subjects. He has sent reiterated orders to the Porte during the last few days to hasten necessary reforms and to insure good administration. || "Those reforms which are not contrary to Laws and Regulations already in existence His Majesty will immediately put into force, and Shakir Pasha is about to be sent to supervise and preside over their execution. || "Orders to take administrative and police measures to prevent conflicts and to control migrations of Kurds have already been given, and Shakir Pasha, whose presence will be a further guarantee, has also received orders to this effect." || The Foreign Minister stated in answer to inquiries that Shakir Pasha's mission was to carry out the reforms which would be announced in a day or two by the Porte in answer to the last communication from the three Embassies, and that he would start as soon as possible. || His Excellency also requested that an early answer should be given to this communication. || After Mr. Block had left, Turkhan Pasha, in a private conversation with the Russian and French Dragomans, said, "We are most desirous of settling the question;" at the same time expressing the hope that Shakir Pasha's nomination would be accepted by England. || Though Shakir Pasha's name was not explicitly submitted for approval, it is evidently intended to give the three Embassies an opportunity of concurring. || No objection will, I believe, be raised by the French and Russian Ambassadors.

Nr. 10946. GROSSBRITANNIEN. — Derselbe an Denselben. Bemerkungen des russischen und französischen Botschafters über die Ernennung Shakir Paschas.

Constantinople, July 21, 1895, 6.15 p. m. (Received July 21.)

Nr. 10946. Grossbritannien. 21. Juli 1895.

Telegraphic. || Following communication to Porte will be made to-day by Russian Ambassador in reply to that made by Turkhan Pasha on the 18th instant to the three Dragomans, as reported in my telegram of that day's

date: — || "The choice of Shakir Pasha would not be objected to by the Russian Government', but it is necessary that they should know first whether the other two Powers accept his nomination, and also what the reforms are which he will have to supervise, and what powers are conferred on him." || The French Ambassador intends to send a similar reply to-morrow, but I shall await your Lordship's instructions before making any communication.

Nr. 10946. Gross-britannien. 21. Juli 1895.

Nr. 10947. GROSSBRITANNIEN. — Derselbe an Denselben. Die englische Regierung über die Ernennung Shakir Paschas.

Constantinople, July 25, 1895, 10.30 a. m. (Received July 25.)

Telegraphic. || Yesterday I informed the Porte, in accordance with your Lordship's telegram of the 23rd instant, that, provided that the reforms which Shakir Pasha will have to supervise are adequate and satisfactory, and that the powers given to him are sufficient, we should not object to his appointment, but that, as the selection was not ours, we could not accept any responsibility for it.

Nr. 10947. Gross-britannien. 25. Juli 1895.

Nr. 10948. GROSSBRITANNIEN. — Der Botschafter in Petersburg an den Minister des Auswärtigen. Russlands Politik in der armenischen Frage.

St. Petersburgh, July 25, 1895. (Received July 25.)

Telegraphic. || It is Prince Lobanoff's desire that the understanding come to by three Powers should be maintained; he will be glad to join in endeavours to obtain any amount of administrative reforms likely to have the result of increasing the welfare, as well as the security of life and property, of all the Porte's Christian subjects. If, however, Her Majesty's Government demanded political reforms, by which Armenians in Asia Minor would enjoy exceptional privileges, Prince Lobanoff would find himself unable to follow us.

Nr. 10948. Gross-britannien. 25. Juli 1895.

Nr. 10949. GROSSBRITANNIEN. — Der Botschafter in Konstantinopel an den Minister des Auswärtigen. Unterredung mit dem Sultan.

Constantinople, July 26, 1895, 10 p. m. (Received July 26.)

Telegraphic. || I congratulated the Sultan to-day, at an audience I had of His Majesty after the Selamlik, on the release of Armenian prisoners on whose behalf I had made representations on various occasions. His Imperial Majesty expressed a hope that this measure would be favourably received. || As regards the reform scheme, His Majesty said that the Council of Ministers would consider it finally on Sunday, and that they would put into execution one by one those reforms which were approved. || I said that, in the opinion

Nr. 10949. Gross-britannien. 26. Juli 1895.

Nr. 10949. Grossbritannien. 26. Juli 1895. of Her Majesty's Government, it was of great importance for the satisfaction of public opinion that the scheme of reforms adopted should be communicated in its entirety to the three Embassies, and that the gravity of she situation made it desirable that this should be done at once. To this His Majesty replied by assuring me that in the course of next week I should receive such a communication, and he added that he was anxious to bring the question to a conclusion, as he was weary of it.

Nr. 10950. GROSSBRITANNIEN. — Der Minister des Auswärtigen an den Botschafter in Petersburg. Antwort auf Nr. 10948.

Foreign Office, Juli 26, 1895.

Nr. 10950. Grossbritannien. 26. Juli 1895. Telegraphic. || I have received your telegram of yesterday, reporting the views entertained by Prince Lobanow on the question of reforms in Asia Minor. || I shall be glad if you will assure his Highness that what Her Majesty's Government are anxious to obtain for the Armenian population is merely justice and the security of life and property, and that the bestowal upon them of any exceptional privilege is neither being pressed nor is it desired by Her Majesty's Government.

Nr. 10951. GROSSBRITANNIEN. — Botschafter in Konstantinopel an den Minister des Auswärtigen. Einverständniss der drei Botschafter. Haltung Deutschlands.

Constantinople, July 28, 1895. (Received July 28.)

Nr. 10951. Grossbritannien. 28. Juli 1895. Telegraphic. || Instructions have been received by the Russian Ambassador from Prince Lobanoff in the sense of Sir F. Lascelles' telegram of the 25th instant, and M. de Nélidow is ready to resume the concert of the three Embassies in regard to the question of Armenia. || I have informed the French and Russian Ambassadors that the Sultan promised to me that in the course of this week a communication shall be made to us, and I shall propose that we should jointly insist upon the Sultan keeping this promise. || I have been informed by the German Ambassador that he has strongly urged His Imperial Majesty to agree to the demands of England in the Armenian question.

Nr. 10952. TÜRKEI. — Bemerkungen auf den Reformentwurf Englands, Frankreichs, Russlands. Den Botschaften der drei Mächte überreicht am 1. August 1895.

Chapitre I.

Nr. 10952. Türkei. 1. Aug. 1895. Article 1er. Le choix et la nomination de fonctionnaires capables aux postes de Gouverneurs-Généraux et à toutes les autres fonctions publiques, la destitution, le remplacement, et au besoin la mise en jugement de ceux qui

seraient reconnus coupables de procédés abusifs sont déjà prévus par les Règlements existants. || Le Gouvernement Impérial entend à porter un soin encore plus grand à ce que les Gouverneurs-Généraux nommés par Iradé Impérial soient choisis également à l'avenir conformément à ces principes réglementaires. || Aux termes du Firman Impérial des réformes octroyé en 1272 tous les sujets de l'Empire à quelque communauté qu'ils appartiennent ont accès selon les règles d'une application générale aux fonctions publiques suivant leurs capacités et aptitudes. || Or, toute personne appelée à occuper les plus importantes fonctions de l'ordre civile comme celles de Vali doit avoir acquis de l'expérience à tous les degrés de la hiérarchie administrative. Si l'on prend surtout en considération la diversité de castes et de moeurs des populations des vilayets dont il s'agit et le fait que d'après les inscriptions des registres du cens, la majorité appartient en tout cas et sous quelque régime que ce soit, à l'élément Musulman, on acquiert la ferme conviction que toute modification du mode actuellement en vigueur pour la nomination des Valis, loin d'améliorer l'administration, entraînerait des complications de nature à compromettre la tranquillité publique. Dans ces conditions, il convient de nommer suivant les exigences locales des adjoints aux Gouverneurs-Généraux, choisis parmi les fonctionnaires non Musulmans appartenant à la partie la plus nombreuse des diverses populations non Musulmanes.

Article 2. Les Valis et autres fonctionnaires ne sont point révoqués tant qu'ils ne sont pas reconnus coupables d'actes de nature à entraîner légalement leur destitution. La preuve en est qu'il y a des Valis et autres fonctionnaires qui conservent leurs postes depuis huit à dix ans. Étant donnée cette règle d'après laquelle personne ne peut être révoquée sans motif légal, on ne voit pas la nécessité d'une restriction ayant pour objet de limiter à un terme de cinq ans la durée des fonctions des Valis.

Article 3. La nomination des adjoints des Gouverneurs-Généraux à été traitée dans la partie finale de l'Article Ier. Leurs attributions se trouvent entièrement et clairement précisées au Chapitre II du Règlement relatif à l'administration générale des Vilayets inséré dans le Dustour.

Chapitre II.

Article 4. De même qu'aux chefs-lieux des vilayets, de même dans la plupart des sandjaks, la majorité appartient aux Musulmans d'apres le chiffre proportionnel des habitants. Dans ces conditions, la nomination au poste de Gouverneurs de fonctionnaires Musulmans, capables et compétents paraît tout indiquée. Seulement des non-Musulmans capables et probes peuvent être nommés Mouavins dans tout sandjak où l'État jugerait nécessaire. || Les postes de Caïmacam sont réservés aux diplômés de l'École Civile. Sur le choix du Ministère de l'Intérieur des élèves tant Musulmans que non-Musulmans de cette école sont actuellement nommés par Iradé Impérial aux dits postes. Il convient de maintenir le même système quant au choix de ces fonctionnaires. ||

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Les Musulmans et non-Musulmans qui sans être sortis de l'École occuperaient à l'heure qu'il est des postes de Caïmacam et dont les services et la fidélité seraient éprouvés, pourront être, sur la proposition des Valis appuyée par le Ministère de l'Intérieur, nommés par Iradé Impérial au poste de Caïmacam. On veillera avec le plus grand soin, sur la base de leurs états de services, à ce que ces Caïmacams soient des personnes sans tache et d'une conduite, d'une probité, et d'une fidélité éprouvée aux yeux du Gouvernement. Aux Caïmacams se trouvent attachés des collaborateurs tels que Receveurs des Finances ("Mal-Mudiri"), et Chefs de la Correspondance ("Takrirat Kiatibi"). Créer encore dans tous les cazas des postes spéciaux de Mouavin entraînerait des frais considérables. Du reste, il n'existe pour cela aucune nécessité. En conséquence, plutôt que d'établir partout de pareils postes, il vaudrait mieux les restreindre à certains Caïmacamats ayant une position importante. Dans ce cas, il conviendrait de donner un Mouavin Chrétien au Caïmacam si celui-ci est Musulman et vice versâ. Dans les cazas il existe des Conseils d'Administration dont les attributions sont définies au Chapitre IV du Règlement concernant l'administration générale des vilayets et dont les membres Musulmans et non-Musulmans sont élus par les habitants. Ces Conseils sont en état de discuter et de régler les affaires locales de toutes sortes dans tous leurs détails. Il devient dès lors inutile de former dans chaque caza un Conseil spécial chargé de délibérer sur les affaires d'utilité publique et autres. || Le mode d'élection des membres des Conseils d'Administration est indiqué dans les Règlements sur les vilayets et dans celui de l'Administration Communale. || L'organisation communale pourrait se faire conformément aux dispositions des Articles 94 à 106 du Règlement de l'administration générale des vilayets du 9 Janvier, 1286, élaboré sous le Grand Vézirat de feu Aali Pacha, et des Articles 1er à 28 du Règlement sur l'administration communale du 25 Mars, 1292, élaboré sous le Grand Vézirat de feu Mahmoud Nédim Pacha. Cependant le fait que dans les bourgs et villages de l'Empire les populations de différentes classes se trouvent souvent mélangées exclut la possibilité de grouper, comme on en suggère l'idée, les villages d'une même religion dans un même nahié. || L'Administration de chaque nahié par un Moudir et l'institution d'un Conseil chargé d'administrer la commune pourraient se faire également suivant les Règlements susmentionnés. || Seulement ces Règlements contiennent un paragraphe d'après lequel le Conseil Communal pourrait avoir jusqu'à huit membres. || Comme ces membres sont renouvelés par moitié chaque année, il serait plus opportun que le nombre des membres Musulmans et non-Musulmans ne fût que de quatre.

Article 9. Le mode d'élection des Conseils Communaux est soumis aux Règlements précités. || Si tous les habitants d'un nahié sont d'une même classe, il est naturel que les membres du Conseil soient élus parmi les habitants appartenant à cette même classe; si la population d'un cercle communal est mixte, il est également convenable que la minorité soit représentée propor-

tionnellement à son importance, à condition que cette minorité comprenne au moins vingt-cinq maisons.

Article 10. Les Moudirs et les Secrétaires des communes sont déjà rétribués.

Lors de la mise à exécution des mesures ayant pour objet l'organisation des nahiés les appointements seront naturellement fixés dans les limites de l'allocation générale. || Seulement, comme les Règlements en vigueur ne prévoient pas, pour les dépenses locales des communes, l'élaboration d'un budget, cette tâche incombe au chef-lieu des vilayets.

Article 11. Dans l'élection des membres du Conseil Communal les conditions indiquées dans le Règlement concernant l'administration générale des provinces et dans le Règlement des communes doivent être observées. || Il est entendu aussi que les membres à élire ne doivent pas avoir subi de condamnation pour crime ou pour délit politique.

Article 12. L'élection par les habitants des Moudirs des communes à l'instar des membres du Conseil est prévue, il est vrai, par le Règlement de l'administration communale. Mais il n'est pas dit dans ce Règlement que les membres élus choisiront un d'entre eux pour le poste de Moudir et qu'ils en feront part directement au Gouverneur-Général. Au contraire, il est stipulé qu'après que les habitants auront élu aussi le Moudir, son nom sera communiqué par l'entremise du Caïmacam du district dont relève la commune au Mutessarif et par celui-ci au Vali, qui confirmera la nomination par écrit et remplira les formalités nécessaires. || Toutefois la question de savoir si les Moudirs doivent être nommés par l'État ou par voie d'élection est l'objet de controverses même dans certains pays Européens. Eu égard aux conditions spéciales de l'Empire Ottoman, la nomination de ces Moudirs par l'État serait plus conforme à l'intérêt public. Aussi, le Gouvernement Impérial préfère-t-il le choix et la nomination par l'État des Moudirs des communes à former conformément aux deux Règlements susmentionnés, ainsi que cela se pratique à l'égard des Moudirs déjà existants.

Article 13. Aux termes de l'Article 12 du Règlement de l'administration communale tous ceux qui se trouvent au service du Gouvernement—les professeurs d'école et les prêtres—ne peuvent exercer les fonctions de Moudir.

Article 14. Ce point s'accorde aussi avec l'Article 16 du Règlement de l'administration communale. Le dernier paragraphe est cependant en contradiction avec le même Article, car, dans la partie finale du dit Règlement, il est clairement stipulé que le Moudir et les membres sont rééligibles. Eu égard au nombre limité de gens capables de remplir dans les communes les fonctions de membres, et au fait que la nomination des Moudirs par le Gouvernement est estimée préférable, le paragraphe réglementaire concernant les membres paraît plus conforme aux exigences de la situation.

Article 15. Les attributions du Moudir et des membres des Conseils Communaux, ainsi que le mode de leur élection et de leur remplacement, sont

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réglés par les dispositions des Articles 20 à 27 du Règlement sur l'administration des communes.

Article 16. Cet Article est conforme aux Articles spéciaux des Règlements sur l'organisation et l'administration générale des vilayets et du Règlement sur l'administration des communes.

Article 17. Cet Article est conforme aux Règlements sur l'administration des vilayets et des communes.

Chapitre V. Police.

Article 18. Les Règlements en vigueur ne prévoient pas le recrutement parmi les habitants des communes et l'emploi d'agents de police par les Conseils Communaux. Les agents de police d'une commune, s'ils étaient choisis et recrutés parmi les habitants de cette même commune, pourraient y avoir des parents ou alliés, ou être animés d'animosités personnelles à l'égard de certains habitants, ce qui exclurait la possibilité pour eux de remplir consciencieusement les devoirs de leur charge et de se comporter avec impartialité. || La formation au chef-lieu du vilayet de la police et la gendarmerie à recruter parmi les sujets Ottomans honnêtes et dignes de confiance dans la proportion du chiffre général des habitants Musulmans et non-Musulmans de chaque vilayet, l'augmentation selon les besoins locaux des contingents de gendarmerie et de police réservés au district et l'affectation aux chefs-lieux des communes d'un chiffre convenable à détacher de ces contingents paraissent suffisantes pour assurer le but désiré au point de vue de la tranquillité publique.

Article 19. Les agents de police du chef-lieu de la commune agiront naturellement, en matière de police, sous les ordres du Moudir. Si ces agents sont nombreux et s'il y a parmi eux un Commissaire de Police ils devront évidemment se conformer aux Règlements en vigueur. Leurs armes et uniformes seront identiques aux modèles déjà adoptés pour la police. Leurs soldes sont payables par les caisses des districts. Ces agents, rétribués qu'ils sont, devront d'une façon permanente se consacrer à l'accomplissement de leur tâche, sans qu'il leur soit permis de vaquer à leurs affaires personnelles. || Quand les soldats de l'armée régulière en service actif payent dans leurs pays leurs redevances fiscales, il n'y a pas lieu d'exempter les agents de police non-Musulmans du paiement de la taxe d'exonération militaire. || Les agents de police exercent leurs fonctions dans les limites de leurs circonscriptions. L'emploi d'agents montés n'a donc pas de raison d'être et est sans précédent. || Après avoir examiné sur les lieux quel nombre de nouveaux agents de police il serait nécessaire d'employer dans les vilayets il sera procédé à leur recrutement suivant les besoins réels et absolus. Afin d'éviter des dépenses inutiles, il importe de ne point donner à cette mesure plus d'extension que ne le comportent les véritables nécessités. Il est bien entendu que le mode d'emploi, la conduite et les attributions de ces agents doivent rester dans les

limites de ce qui se pratique actuellement à l'égard du corps des agents de police et qu'ils ne pourront s'arroger aucun caractère nouveau.

Article 20. Les devoirs de police tels que la surveillance des routes, le maintien de la tranquillité publique, et la sécurité du transport des valises postales incombent à la gendarmerie à pied et à cheval. Il appartient aux autorités centrales des sandjaks et des cazas d'expédier ces gendarmes le cas échéant.

Chapitre VI.

Article 21. Il convient de recruter les gendarmes parmi les habitants Musulmans et non-Musulmans suivant les exigences locales, et de choisir les officiers et les sous-officiers de ce corps dans les cadres de l'armée Impériale. La solde des gendarmes est supérieure à celle des soldats réguliers et celle des officiers équivalente à la solde des officiers de l'armée Impériale. Il est évident que, suivant la règle établie, les soldes et dépenses de la gendarmerie doivent être payées par les caisses des vilayets.

Chapitre VII. — Prisons.

Article 22. Les prévenus sont détenus dans les maisons d'arrêt et les condamnés dans les prisons. C'est aux Valis, Mutessarifs, et Caïmacams de veiller aux conditions hygiéniques des prisons. Les Procureurs-Généraux sont, de leur côté, tenus de faire des inspections à cet égard. Les prisons ont, en outre, un personnel complet de fonctionnaires et de domestiques, tels que Directeur, Secrétaires, Gardiens. On pourrait faire des recommandations pour qu'il soit apporté par ces moyens encore plus de soins à l'administration de l'état des maisons d'arrêt, et des prisons, à la garde desquelles sont préposés des gendarmes et des agents de police. Les tortures et les traitements vexatoires envers les détenus et prisonniers sont interdits de par la loi, qui prescrit les pénalités les plus rigoureuses à l'égard des contrevenants.

Chapitre VIII.

Article 23. L'enquête préliminaire est actuellement effectuée à Constantinople et dans les provinces par les soins des Conseils de Police. Le mode recommandé se trouve d'ailleurs inscrit dans les instructions relatives à l'administration générale des vilayets.

Chapitre IX.

Article 24. La présence dans chaque vilayet d'un Achiret-Memouri chargé de l'administration des Kurdes nomades, de l'arrestation et de la remise des brigands et des criminels n'offre aucun avantage pratique ni ne paraît présenter la perspective d'un projet applicable, attendu qu'il est improbable que les Chefs d'une tribu puissent exercer une influence quelconque sur une autre tribu. En conséquence la poursuite et l'arrestation des brigands et criminels parmi les tribus nomades, leur remise aux Tribunaux doivent être

laissées à la gendarmerie et déprendre des ordres donnés et des dispositions adoptées par le Vali. La plupart de ces tribus ne sont pas nomades; leur principal moyen d'existence consistant simplement dans l'élevage des bestiaux, elles se rendent l'été dans leurs pâturages et rentrent en hiver dans leurs foyers situés dans les bourgs et villages. Les localités qu'elles doivent traverser pendant ces migrations seront désignées d'avance, et afin qu'elles ne puissent se livrer à aucun empiètement ou excès sur les biens ou les personnes des habitants sédentaires de ces localités, une force armée suffisante, sous le commandement d'un officier nommé par le Commandant du Corps d'Armée ainsi qu'un détachement de gendarmes et d'officiers désignés par le Vali, seront envoyés sur les lieux. On veillera avec soin à la stricte application à leur égard des dispositions des Règlements sur les feuilles de route et le port d'armes. || Comme garantie que ces tribus ne se porteront à aucun acte contraire aux ordres et recommandations qui leur seront donnés, il est parfois d'usage que les Chefs des tribus envoient au chef-lieu du vilayet ou du sandjak le plus proche un de leurs parents ou alliés jouissant de l'estime et de la confiance de la tribu pour y rester comme otage jusqu'à leur retour dans leurs foyers. Cet usage sera maintenu en vigueur. S'il existe des tribus constamment errantes le Gouvernement aura soin de les encourager à se fixer en leur concédant des terres et de pâturages. || Telles sont les mesures qui peuvent être considérées comme nécessaires. || Les Valis, Mutessarifs, et Caïmacams veilleront avec la plus grande attention à ce que les Chefs des tribus ne soient pas exposés à des insultes ou à des dangers par le fait des intrigues et des calomnies des gens sans aveu.

Chapitre X.

Article 25. On a indiqué la façon dont les régiments Hamidiés seraient employés dans le cas où il serait nécessaire de les appeler sous les armes en dehors des périodes déterminées. Les Règlements relatifs à ces régiments étant en train d'être remaniés, les restrictions concernant le port d'armes et d'uniformes en dehors des périodes d'instruction rentrent dans les dispositions de nouveaux Règlements à élaborer. Si des cavaliers Hamidiés en dehors des périodes d'instruction, c'est-à-dire lorsqu'ils ne sont pas sous les armes, venaient à commettre des actes entraînant des poursuites judiciaires, ils sont justiciables d'après l'usage en vigueur des Tribunaux ordinaires.

Chapitre XI.

Article 26. Le Gouvernement Impérial prenant en considération la question de la garantie de la propriété immobilière, avait déjà établi comme principe de faire délivrer des titres uniformes par l'Administration des Archives pour les terres et immeubles de toute catégorie en abrogeant l'ancienne règle d'après laquelle, tant à Constantinople que dans les provinces, des titres de diverses formes étaient délivrés pour ces propriétés. C'est ainsi qu'au moyen de la délivrance par l'Administration précitée de titres réguliers soit pour les

terrains émiriés et vakoufs, soit pour les immeubles mulks, les droits de propriété des populations ont été garantis. Étant donné que pour l'examen des faits et actes se rapportant à la propriété immobilière il faut avoir une connaissance spéciale des lois sur la matière, cet examen ne saurait être fait par de simples Commissions instituées sur les lieux et composées de membres Musulmans et non-Musulmans. Aussi conviendrait-il de nommer à cet effet des Commissions composées de quatre membres dont deux Musulmans et deux non Musulmans qui seraient placées, dans les chefs-lieux des vilayets, sous la présidence du Déligué de l'Administration des Archives, et dans les chefs-lieux des sandjaks, sous la présidence du préposé aux propriétés foncières. || Ces Commissions auront essentiellement pour mission de reviser les titres authentiques de ceux qui prétendraient avoir des droits de propriété. Cependant, comme il est possible que certaines personnes, par ignorance des dispositions de la loi, ne se soient pas fait délivrer les titres de leurs terrains et immeubles et que par contre d'autres se soient procuré des titres sur des affirmations ex parte, il importe de prendre aussi en considération ce point important dans le cours de la revision, d'examiner et de rechercher à telles fins que de droit les circonstances se rattachant à la possession par voie d'achat ou de transfert ou de succession des immeubles et terrains dont les ayants droit ne se seront pas procuré dans le temps pour une raison ou une autre des titres de propriété pour ces mêmes immeubles et terrains, de ne priver personne de ses anciens droits parce que des titres ne sont pas produits, de se livrer en ce qui concerne ceux qui se sont procuré d'une façon quelconque des titres sans que leurs droits de propriété aient pu être établis au fond, à des investigations pour savoir comment ils ont pu obtenir ces titres, d'arriver ainsi à mettre les propriétés de chacun à l'abri de toute usurpation, enfin de ne laisser aucune marge à des revendications injustes et à des chicanes et de s'attacher surtout à préserver de toute atteinte les terrains et immeubles Vakoufs. || Voilà en quoi doit cousister la tâche principale des dites Commissions. || Leurs résolutions doivent être examinées et approuvées par les Conseils d'Administrations des vilayets et des sandjaks. Il conviendrait de déférer aux Tribunaux les affaires qui exigeraient une solution légale. Et pour que cela se fasse conformément au principe de centralisation administrative, quatre personnes choisies parmi les plus honorables, les plus probes, et ayant un passé sans tâche seront envoyées chaque année de la capitale aux vilayets avec mission d'examiner si des procédés contraires au droit et à l'équité ont lieu, et d'en faire connaître le résultat à la Sublime Porte. De cette façon un contrôle sera exercé.

Chapitre XII. — Perception des Dîmes.

Article 27. Que la perception en espèces de tous les produits des dîmes en général soit impossible eu égard à la condition des populations, c'est là un point que l'expérience faite à diverses reprises et dans différents endroits a démontré. Le paiement en nature de la dîme à l'époque des récoltes con-

stitue évidemment une facilité pour les habitants. D'ailleurs, aux termes du Règlement qui régit la matière, la mise en adjudication des dîmes par village et leur affermage en cas de demande de la part des habitants, étant admises, le maintien de cette règle paraît s'imposer. Des Percepteurs avaient été nommés dans les temps pour la perception des autres revenus de l'Empire; mais comme ce moyen n'avait pu assurer la rentrée régulière des impôts et un régime normal de nature à offrir des facilités aux populations sous le rapport de l'Administration des Revenus Publics, et que le Gouvernement Impérial avait dû rechercher un mode de perception autre que celui de l'emploi de la force publique, des détachements spéciaux chargés du service de perception avaient été formés. Il a été établi pour principe que ces détachements ne feraient aucune réquisition de fourrages et de vivres dans les endroits où ils se rendraient sous peine de se voir sévèrement punis. Comme le prélèvement et la consignation aux caisses locales des impôts dus par les populations incombent aux Moukhtars, et aux Receveurs des villages et quartiers élus par les habitants, il est également établi que les hommes faisant partie des détachements de perception n'ont pas à manier d'argent. Dès lors il semble inutile de songer à remplacer ce régime par le mode proposé, d'autant plus que les Percepteurs qu'on voudrait faire choisir et nommer par les Conseils Communaux ne peuvent être autres, ainsi qu'il vient d'être constaté, que les Receveurs et les Moukhtars élus par les habitants.

Article 28. L'essai que le Gouvernement Impérial a fait de l'administration en régie, et non par voie d'affermage des dîmes, loin d'emmener la régularité dans cette branche du service, a donné lieu, au contraire, à des pertes fiscales et à des plaintes de toutes sortes de la part des populations. C'est pour ce motif que le système d'affermage a été rétabli. Seulement, en vue de prévenir toute cause de plainte, une série de clauses et de restrictions ont été insérées au Règlement sur les dîmes. Par exemple, l'affermage en gros des dîmes a été supprimé et remplacé, ainsi qu'il est dit à l'Article précédent, par le système de la mise en adjudication par villages et au nom des habitants pour l'encouragement et la facilité de ces derniers. En outre, de même qu'en cas de difficulté dans l'encaissement des prix d'affermage, le Gouvernement a recours aux Tribunaux, de même les habitants jouissent, d'après la règle en vigueur, de la faculté de s'adresser librement aux Conseils d'Administration et aux Tribunaux en cas de plaintes et de réclamation contre les fermiers. || La corvée se trouve absolument interdite depuis de longues années. Les contrevenants encourent une responsabilité de ce chef. Dès lors il n'y a pas lieu de songer à établir une nouvelle restriction réglementaire à ce sujet. L'établissement de caisses publiques dans les communes a été aussi essayé dans le temps, mais cet essai, loin de donner de bons résultats au point de la régularité des opérations, a été cause que le fisc a subi gratuitement des pertes. Il n'y aurait donc aucun avantage matériel à renouveler cet essai. Il importe de maintenir le régime actuellement en vigueur d'après lequel les

dépenses communales fixes inscrites au budget des vilayets sont réglées mensuellement par les caisses de cazas. Les dépenses de vilayets et des sandjaks inscrites au budget sont également réglées par les caisses publiques. || Les frais de construction et de réparation, les allocations de ponts et chaussées, ainsi que les opérations relatives aux prestations en nature et en argent concernent le Ministère des Travaux Publics qui se met à ce sujet en communication avec les vilayets aux fins requises. Quant aux sommes nécessaires pour les dépenses de l'instruction publique, c'est le Ministère de l'instruction Publique qui les inscrit au Budget et pourvoit à leur réglement en se mettant en communication avec les autorités. || Eu égard aux Règlements établis, il importe de continuer à procéder aussi à l'avenir suivant cette même règle. || La population n'a jamais eu a fournir gratuitement soit aux fonctionnaires, soit aux troupes Impériales, le logement et les provisions nécessaires à leur entretien. Elle n'a pas été non plus l'objet de mesures de rigueur lors de la perception des impôts. Les arriérés considérables que la population doit chaque année au chef des revenus fiscaux, tels qu'impôts et taxe d'exonération militaire en sont la preuve. Au demeurant, comme il existe des dispositions réglementaires qui défendent la vente pour cause de dettes fiscales ou personnelles de la demeure particulière du contribuable, des terrains nécessaires à sa subsistance, de ses outils et instruments aratoires, de ses bêtes de labour et de ses grains, il n'y a pas lieu d'établir de nouvelles Règles et Lois à cet effet.

Chapitre XIII.

Article 29. Il y a dans les communes des Conseils des Anciens ayant pour mission de régler à l'amiable les contestations de peu d'importance, et de réconcilier les parties conformément aux Règlements établis.

Article 30. Dans les cazas il existe des Tribunaux de Première Instance dans les conditions indiquées par la Loi Organique des Tribunaux. Les fonctions de Juges de Paix sont exercées dans les villages par les Conseils des Anciens et dans les communes par les Conseils Communaux. Leurs attributions et le degré de leur compétence en matière de réglement d'affaires sont déterminées par la Lois susdite. Il n'y a aucune disposition légale qui prévoie la nomination recommandée des Juges de Paix aux chefs-lieux des cazas et des communes. Il n'y a pas non plus dans les communes et villages des personnes versées dans les questions juridiques. Il ne conviendrait conséquemment pas de nommer des Juges de Paix investis d'attributions si étendues.

Article 31. A l'Article précédent il a été établi qu'il n'y a pas lieu de former des Tribunaux de Paix. || Dès lors il devient inutile de parler de leurs attributions.

Article 32. En matière civile la désignation d'arbitres ne rentre pas dans les attributions des Tribunaux. Aux termes du Code de Commerce les Tribunaux de Commerce nomment des experts dans les procès entre Sociétés.

Nr. 10952. Türkei. 1. Aug. 1895. D'ailleurs, comme il a été dit qu'il n'est pas nécessaire de former des Tribunaux de Paix, il n'y a pas lieu d'examiner encore davantage la fixation d'une pareille attribution.

Article 33. D'après les explications qui ont été données sur l'impossibilité et l'inutilité de l'institution de Tribunaux de Paix et sur la nécessité du maintien de l'organisation actuelle de la justice de paix, la conservation des Tribunaux de Première instance des districts rentre dans l'ordre naturel des choses.

Article 34. Vu l'inutilité des Tribunaux de Paix telle qu'elle ressort des explications qui précèdent, ce que cet Article désigne comme faisant partie de leurs attributions perd toute raison d'être.

Article 35. La nécessité du maintien des Tribunaux de Première Instance dans les cazas a été déjà expliquée. En ce qui concerne les Tribunaux Civils et Criminels des sandjaks les Lois judiciaires ne prévoient pas l'institution de Cours d'Assises ambulantes destinées à connaître des affaires criminelles en lieu et place des Tribunaux Criminels. || On ne peut pas non plus se figurer l'avantage et la possibilité d'une pareille mesure, car les difficultés des communications entraîneraient des pertes de temps dans la tournée d'une Cour de ce genre. Pendant l'hiver les routes seraient interceptées sur certains points; de telle sorte que les procès criminels, notamment les cas de flagrant délit qui exigent une instruction et un jugement à brève échéance, subiraient des retards par suite de la non apparition a temps de la Cour, ce qui, en rendant difficile la réunion de preuves et indices de nature à emmener la conviction, compromettrait les actions criminelles et civiles.

Article 36. Ainsi qu'il ressort des explications données à l'Article précédent, l'organisation de Cours ambulantes est difficile et sans utilité. Il n'y a pas lieu par conséquent de déterminer le mode à suivre dans l'organisation de ces Cours.

Article 37. Puisque le principe même de l'organisation de Cours ambulantes n'a pas été jugé conforme aux exigences de la situation, il n'y a pas lieu de s'occuper de la fixation de leurs attributions.

Article 38. Le principe de la formation de Cours ambulantes n'ayant pas été jugé admissible, l'examen des indications contenues dans cet Article n'a pas de raison d'être.

Article 39. La formation aux chefs-lieux des vilayets d'une Cour Supérieure composée d'un Président et de deux membres constitue une proposition qui ne rentre pas dans les dispositions des Lois judiciaires. Au chef-lieu de chaque vilayet il existe deux Tribunaux d'Appel: l'un Civil, l'autre Criminel, composés chacun d'un Président et de quatre membres, ainsi que des Tribunaux Civils et Criminels de Première Instance composés d'un Président et de deux membres. Les Tribunaux d'Appel examinent les causes civiles et criminelles jugées par les Tribunaux de Première Instance. Quant aux procès criminels qui surgissent dans les chefs-lieux des vilayets, c'est le Tribunal

d'Appel qui en connaît le premier. || Les Tribunaux Civils et Criminels de Première Instance composés chacun d'un Président et de deux membres qui se trouvent dans les cazas, connaissent, conformément aux Lois Organiques des Tribunaux et aux Codes de Procédure Civile et Criminelle, des procès civils et criminels aux chef-lieux des sandjaks et examinent en appel les Jugements appelables des Tribunaux de Cazas. || L'expérience a démontré la suffisance et l'utilité de l'organisation des Tribunaux provinciaux. Il n'y a donc pas lieu légalement et pratiquement parlant de modifier cette organisation pour former une Cour Supérieure comme celle dont il est fait mention plus haut. || Les Jugements rendus par les Tribunaux ordinaires en matière civile et criminelle doivent être absolument libellés en Turc, langue officielle du pays.

Nr. 10952. Türkei. 1. Aug. 1895.

Nr. 10953. GROSSBRITANNIEN. — Der Botschafter in Konstantinopel an den Minister des Auswärtigen. Bemerkungen über Nr. 10952.

Constantinople, August 2, 1895, 7.50 p. m. (Received August 2.)

Nr. 10953. Grossbritannien. 2. Aug. 1895.

Telegraphic. || Yesterday the Report of the Commission appointed to consider the proposals for reform made by Russia, France, and England was communicated to the three Dragomans without any observations, and I am forwarding a copy to your Lordship by to-morrow's post. || The communication purports to give the details we asked for on receipt of the Porte's note of the 17th June. || The plan of reforms is dealt with Article by Article, but no reference is made to our Memorandum. || Five years appointment of Valis and any fixed proportion of Christian Kaïmakams and Mutessarifs are refused, but non-Mussulman assistants where necessary are granted.

Election of Mudirs, proposals as to collection of taxes (Chapter 12), and judicial reforms (Chapter 13), Christian officers of gendarmerie, rural police, are refused. || It undertakes to enforce Regulations in the sense of the 2nd paragraph of our proposals as to the Hamidieh (Chapter 10). || It promises to employ sufficient armed force to control the Kurds and to enforce the Regulations as to arms. || It admits recruitment of gendarmes from Moslems and non-Moslems. || It promises a Special Commission on title-deeds. || The appointment of Shakir Pasha and the engagement taken in the 5th paragraph of the Porte's note of the 17th June form the only security for the execution of such reforms as are promised, but the general tone of the communication is that the existing Regulations do not require amendment. || I shall discuss the document with my colleagues to-morrow afternoon.

Nr. 10954. GROSSBRITANNIEN. — Derselbe an Denselben. Der französische und russische Botschafter halten die Antwort der Pforte für ungenügend.

Constantinople, August 4, 1895, 10.50 a. m. (Received August 4.)

Nr. 10954. Gross-britannien. 4. Aug. 1895.

Telegraphic. || Referring to my telegram of the 2nd instant, my French and Russian colleagues consider that the Porte's answer is merely a criticism of our proposals, and not a plan of reforms. || We shall let the Turkish Government know our personal opinions of their answer, adding that we are entirely left in the dark by the communication as regards the reforms which Shakir Pasha is to supervise, but we do not propose to make any joint communication to the Porte until we receive instructions from our Governments.

Nr. 10955. GROSSBRITANNIEN. — Der Minister des Auswärtigen an den Botschafter in Petersburg. Ist Russland zu einer Pression auf die Pforte bereit?

Foreign Office, August 5, 1895.

Nr. 10955. Gross-britannien. 5. Aug. 1895.

Telegraphic. || From Sir P. Currie's telegram of yesterday, your Excellency will have seen that the Ambassadors of the three Powers at Constantinople consider the Sultan's reply to their proposals for Armenian reform so unsatisfactory that they cannot regard it as a serious communication. || Her Majesty's Government think it now very important to learn how far the Russian Government are willing to proceed in putting pressure upon the Porte, as they do not consider that diplomatic means will be of much further avail. Her Majesty's Government are of opinion that the three Powers cannot withdraw from the enterprise without loss of credit; and they have entertained no doubt that, in consenting to co-operate with them in this matter, their two allies contemplated the possibility of being driven to more energetic measures in the event of the Sultan declining to take any action.

Nr. 10956. GROSSBRITANNIEN. — Der Botschafter in Konstantinopel an den Minister des Auswärtigen. Erklärung der Pforte.

Constantinople, August 7, 1895, 10.45 a. m. (Received August 7.)

Nr. 10956. Gross-britannien. 7. Aug. 1895.

Telegraphic. || Yesterday the Dragomans were sent for by the Foreign Minister, who communicated to them officially the following: — || "Tout ce qui n'a pas été rejeté dans sa réponse, la Sublime Porte s'engage à exécuter; on exécutera aussi avec leurs modifications les Articles modifiés." || No doubt the objections taken to the vagueness of the terms of the answer of the Porte received on the 2nd August are intended to be met by this communication, but no adequate guarantee for the welfare and security of life and property

of the Christian subjects of the Porte, which in the words of Prince Lobanoff are the object of the joint action of the three Powers, is offered by the accepted reforms.

Nr. 10956. Grossbritannien. 7. Aug. 1895.

Nr. 10957. GROSSBRITANNIEN. — Der Minister des Auswärtigen an den Botschafter in Petersburg. Unterredung mit dem russischen Geschäftsträger.

Foreign Office, August 7, 1895.

Nr. 10957. Grossbritannien. 7. Aug. 1895.

Sir, || The Russian Chargé d'Affaires called upon me to-day to speak about the Armenian qnestion. || I told him how the matter stood, and, in reply, he renewed the assurance which I had already received, that Prince Lobanoff was resolved to act in concert with Her Majesty's Government on this question, it being only understood that nothing in the shape of the creation of an autonomous state in Armenia should be attempted. || I replied that I entirely agreed as to the impossibility of establishing such a state, and the great inexpediency, therefore, of making any efforts in that direction. || The inclination of my mind was, at present, to consider whether there was not some arrangement which we could demand of the Sultan as a legitimate consequence of the provisions of the LXIst Article of the Treaty of Berlin. By that Article we had a right to exercise surveillance, but surveillance did not consist in an Ambassador residing at Constantinople and looking on, but involved some more active and effectual form of vigilance. The problem before us was to devise some machinery for surveillance which would be effective, and which yet should not inflict an unnecessary wound upon the susceptibilities of the Sultan with regard to his prerogatives.

Salisbury.

Nr. 10958. GROSSBRITANNIEN. — Derselbe an Denselben. Russland kennt die letzte Note der Pforte noch nicht.

Foreign Office, August 9, 1895.

Nr. 10958. Grossbritannien. 9. Aug. 1895.

Sir, || The Russian Chargé d'Affaires informed me to-day that his Government had not yet received the text of the Sultan's reply with regard to reforms in the Armenian provinces, and that until it was in their hands they could express no opinion. || Prince Lobanoff was disposed to entertain the idea of devising "some machinery for surveillance", as suggested in my conversation with M. Kroupensky of the 7th instant, but considered that any such proposal must be clearly and precisely defined before being submitted to the Sultan.

Salisbury.

Nr. 10959. **GROSSBRITANNIEN.** — Der Botschafter in Petersburg an den Minister des Auswärtigen. Ansichten des Fürsten Lobanoff über die Frage der Ueberwachung und Drängung.

St. Petersburgh, August 9, 1895. (Received August 19.)

Nr. 10959. Grossbritannien. 9. Aug. 1895.

My Lord, || It was only this afternoon that I had an opportunity, since the receipt on the 6th instant of your Lordship's telegram of the previous day, of seeing Prince Lobanoff. || His Excellency, after listening to a paraphrase of your Lordship's telegram, was good enough to read to me a telegram which he had received yesterday from the Russian Chargé d'Affaires in London, giving an account of a conversation which your Lordship had had with him on the subject of the steps which should now be taken at Constantinople as regards Armenian reforms. || Prince Lobanoff said that he had at once telegraphed to M. Kroupensky to the effect that he could not express an opinion on the Sultan's answer until he had seen the text of it. His Excellency reminded me that he had never concealed from me his opinion of the scheme of reforms drawn up by the Ambassadors at Constantinople, which he considered unworkable. In his opinion, the Ambassadors had gone too far. At the same time, after all that had taken place, he was strongly of opinion that the Sultan should be induced to grant some reforms, and he thought that the suggestion which your Lordship had made in your conversation with M. Kroupensky for some sort of "mécanisme de surveillance" might provide a way out of the difficulty. As it was, the Ambassadors had a right of surveillance, and if it was a question of delegating this right to a Committee composed of the Dragomans of the Embassies and certain Turkish officials for the purpose of watching over the introduction of reforms, he would be happy to join in urging such a proposal on the Sultan, who, he believed, would agree to it. If, however, it was intended to create a permanent institution which should undertake the administration of certain provinces in Asia Minor, he should not be able to agree to it. Russia had formerly been in the position of a "Protecting Power in the Danubian Principalities and in Servia, but she had been unable to secure any real improvement in the administration, and the result had been that she had made herself unpopular with the population, who had looked to her for the redress of their grievances. He would therefore strongly object to any proposal which would in any way render the Russian Government responsible for the administration in any part of the Sultan's dominions, as he considered that such responsibility was greater than any Government should incur. || On my asking Prince Lobanoff how far the Russian Government would be prepared to go in putting pressure on the Sultan in the event of His Majesty refusing to take any steps at all, his Excellency replied that he authorized me to state to your Lordship that the idea of the employment of force was personally repugnant to the Emperor; and, in answer to my further inquiries, his Excellency said that the employ-

ment of force by any one of the three Powers would be equally distasteful to the Russian Government*). He was, however, of opinion that a firm and united attitude on the part of the three Ambassadors at Constantinople would induce the Sultan to yield, and he had lost no opportunity, both in his conversation with the Turkisch Ambassador here and in a private and friendly letter which he had lately had occasion to write to the Grand Vizier, to strongly urge the absolute necessity for the Sultan to take immediate steps for the settlement of this question. Frank C. Lascelles.

Nr. 10959. Grossbritannien. 9. Aug. 1895.

Nr. 10960. GROSSBRITANNIEN. — Der Botschafter in Konstantinopel an den Minister des Auswärtigen. Note an die Pforte (vgl. Nr. 10964).

Constantinople, August 12, 1895, 7.30 p. m. (Received August 12.)

Telegraphic. || It was decided at a meeting I had with my Russian and French colleagues that to-morrow a paper should be presented to the Porte by our Dragomans summarizing in exact terms the reforms which have been accepted in the answers of the Turkish Government. || The Dragomans are to ask the Porte whether these reforms are the measures which are to be put into execution by Shakir Pasha; and on Thursday they are to call for a reply. We propose, on receipt of the assent of the Porte to this paper, to forward it to our Governments, at the same time suggesting additions recommended by the three Ambassadors.

Nr. 10960. Grossbritannien. 12. Aug. 1895.

Nr. 10961. GROSSBRITANNIEN. — Der Minister des Auswärtigen an die Botschaften in Paris und Petersburg. Unterredung mit dem französischen Botschafter über die Ueberwachungsfrage.

Foreign Office, August 13, 1895.

Sir, || The French Ambassador called here to-day and asked me about the state of affairs in the Armenian provinces. || I told his Excellency that I was more and more coming to the conclusion that the strongest position for the three Powers to occupy was that assigned to them by the LXIst Article of the Treaty of Berlin, and that we should claim the right of surveillance and all other rights which that provision of the Treaty necessarily carried with it. No genuine surveillance could be exercised by an authority seated at Constantinople; it must be some authority locally resident at Van, Bitlis, or Erzeroum, or at some other suitable spot in the disturbed country. If a Commission consisting of four Turkish members and three Commissioners nominated by the three Powers were appointed to reside in the Armenian

Nr. 10961. Grossbritannien. 13. Aug. 1895.

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*) Eine telegraphische Meldung dieses Inhalts hatte Salisbury bereits am 13. vom Botschafter erhalten.

Nr. 10961. Gross-britannien. 13. Aug. 1895. provinces with full authority to investigate and report, some security would be obtained for the adoption of reforms and a means of remedy provided should misgovernment again prevail. A Commission of this kind would not, I thought, go beyond the rights conferred by the Treaty of Berlin, and the majority of members being Turkish, there would be no infringement of the Sultan's prerogatives, while if three European Commissioners of sufficient weight and standing were selected they would be able, as they might deem necessary, to direct the proceedings of the Commission. It was essential, however, that each of the Commissioners should have the right of individual investigation and report, and that all facilities necessary for this purpose should be afforded to them. || M. de Courcel was of opinion that on this basis it would be possible to construct an arrangement for adjusting the present difficulties without injury to the rights of the Sultan, and his Excellency thought that Russia might be persuaded to accept some plan such as that indicated. The position of his Government, he observed, was that of an intermediary; whatever course the British and Russian Governments agreed upon, they might feel assured that France would also be ready to adopt.

Salisbury.

Nr. 10962. **GROSSBRITANNIEN.** — Der Minister des Auswärtigen an den Botschafter in Petersburg. Russland stimmt der Ernennung einer Ueberwachungskommission zu.

Foreign Office, August 16, 1895.

Nr. 10962. Gross-britannien. 16. Aug. 1895. Extract. || The Russian Chargé d'Affaires communicated to me this afternoon a message from Prince Lobanoff, stating that the reply of the Turkish Government relative to the proposed reforms in the Armenian Provinces, which had just reached him, was merely an analysis, Article by Article, of the Scheme prepared by the three Ambassadors, and did not indicate the measures which Shakir Pasha was authorized to introduce. Nevertheless, the Russian Government having never regarded the project of the Ambassadors in the light of an ultimatum, did not consider it desirable that the Powers should endeavour to impose it upon the Porte, with whom they preferred to leave the whole responsibility of the measures to be adopted. From this point of view, the idea which I had suggested that the Powers should limit their action to the organisation of "une surveillance", appeared to the Russian Government in entire accordance with the requirements of the LXIst Article of the Treaty of Berlin. || I told M. Kroupensky that the three Ambassadors at Constantinople were also urging the nomination of a due proportion of Christian functionaries, and that the Valis should be appointed for a term of five years, and I said that I thought they should be supported on these points.

Nr. 10963. GROSSBRITANNIEN. — Der Minister des Auswärtigen an den Botschafter in Konstantinopel. Der türkische Botschafter protestirt gegen eine Ueberwachungskommission.

Foreign Office, August 21, 1895.

Nr. 10963. Grossbritannien. 21. Aug. 1895.

Extract. || The Turkish Ambassador called on me to-day, and urged very strongly the impossibility of the Sultan giving way to the demand for a Mixed Commission of Surveillance in connection with the introduction of Armenian reforms. Indeed, his Excellency threatened me, not obscurely, with a probable change of policy on the part of Turkey, which would lead her to place herself entirely in the hands of Russian. || His Excellency discussed the question in this sense for more than an hour, but he did not use any argument whit which your Excellency is unacquainted. The point upon which he principally relied was the injury which any such concession would do to the prestige of the Sultan in the eyes of his Moslem subjects.

Nr. 10964. GROSSBRITANNIEN. — Der Botschafter in Konstantinopel an den Minister des Auswärtigen. Uebersendet Notenwechsel mit der Pforte (vgl. Nr. 10960).

Therapia, August 21, 1895. (Received August 25.)

Nr. 10964. Grossbritannien. 21. Aug. 1895.

My Lord, || With reference to my telegram of the 19th instant, I have the honour to transmit herewith to your Lordship copy of the paper summarizing the reforms accepted in the Porte's previous answers, which was presented to the Minister for Foreign Affairs by the Dragomans of the three Embassies on the 13th instant, and also a copy of the reply which I have received, entitled "Résumé du Contre-Projet du Gouvernement Impérial". || The differences between this reply and the summary of concessions may be classed under three heads: —

1. The withdrawal of reforms already conceded in the previous answers, as in the case of the absolute rejection of the eligibility of Christians for the posts of Valis and Mutessarifs granted in paragraph 4 of the Porte's answer of the 2nd June, which expressly states that non-Mussulmans will be admitted to administrative posts in each vilayet in proportion to the numbers of the Mussulman and non-Mussulman population. || 2. The abrogation of numerous enactments and Regulations which have existed for many years, although they may have been allowed to remain a dead letter, as in the above-quoted case of the rejection of the eligibility of Christians to the higher administrative posts, and also in the case of the appointment of Mudirs, who, according to the Regulations, were to be chosen from the population, but are now to be named by the Imperial Government without any such restriction. || 3. The abrogation of Regulations actually existing and hitherto enforced, as in the case of the reassertion without comment of any kind of the publication ex-

clusively in Turkish of judicial sentences, whereas the law specially states that they shall be accompanied by a translation in the local language, and also in the case of certain points in connection with the organization of nahiés. || The present communication, like the answer of the 1st August, is altogether more reactionary than the earlier replies, and in some cases no longer makes concessions even in form. || So far from insuring to the Christians a larger share in the administration, the so-called reforms now promised by the Porte formally reserve to the Moslems a still more exclusive control of the Executive than that prescribed by the present Regulations. Philip Currie.

Beilage 1.

Summary of Concessions embodied in the Turkish Draft of Reforms.

Chapitre I. — Valis.

Article 1. Les Valis seront nommés par le Gouvernement. Tous les sujets Ottomans, sans distinction, ont accès au poste de Vali. || Art. 2. La durée des pouvoirs des Valis n'est pas limitée. || Art. 3. Des adjoints non-Musulmans seront nommés auprès des Valis, conformément aux Lois et Règlements. || Ils ont pour attribution, aux termes du Chapitre II du Règlement sur l'administration des vilayets (Aristarchi, vol. 3, p. 13), de coopérer aux affaires générales du vilayet, et d'en préparer l'expedition.

Chapitre II. — Mutessarifs.

Art. 4. Les Mutessarifs seront Musulmans ou non-Musulmans. Ils pourront être assistés de Moavins, qui seront Chrétiens si les Mutessarifs sont Musulmans.

Chapitre III. — Caïmacams.

Art. 5. Les Caïmacams seront choisis par le Ministère de l'Intérieur parmi les diplômés de l'École Civile, sans distinction de religion. || Les Caïmacams actuellement en fonctions et reconnus capables pourront, quoique non-diplômés de cette école, continuer leur carrière dans l'Administration. || Art. 6. Des sujets Ottomans non-Musulmans seront admis aux postes administratifs proportionnellement au chiffre total des populations Musulmanes et non-Musulmanes de chaque vilayet. || Dans les cazas "ayant une position importante", des Moavins ayant une religion différente de celle du Caïmacam seront nommés. || Sont maintenus les Conseils Administratifs du sandjak et du caza, composés de membres de droit et de membres élus.

Chapitre IV. — Nahiés.

Art. 7. L'organisation des nahiés sera mise en vigueur selon les prescriptions des Articles 94 à 106 du Règlement sur l'administration générale des vilayets du 9 Janvier, 1286, et des Articles 1 à 28 du Règlement sur l'administration communale de 25 Mars, 1292. || Art. 8. Chaque nahié sera

administré par un Moudir et un Conseil composé de quatre membres élus parmi les habitants. L'un d'eux sera adjoint. Il y aura, en outre, un Secrétaire. || Art. 9. L'élection des membres du Conseil du nahié se fera proportionnellement aux classes de la population. || Art. 10. Les Moudirs et les Secrétaires des nahiés seront rétribués. || Art. 11. Les candidats au Conseil du nahié devront remplir les conditions prescrites par la loi. || Art. 12. Les Moudirs seront nommés par le Gouvernement, et choisis parmi les habitants du nahié, selon les stipulations de l'Article 10 du Règlement sur l'administration des communes (Aristarchi, vol. 5, p. 61). || Art. 13. Les fonctionnaires, les professeurs, et les prêtres ne peuvent être Moudirs. || Art. 14. Les membres du Conseil sont renouvelés par moitié chaque année et rééligibles. Le Moudir restera en fonction deux ans, et ses pouvoirs pourront être renouvelés. || Art. 15. Les attributions du Moudir et des Conseils sont réglées par les Articles 20 à 27 du Règlement sur l'administration des communes. || Art. 16. Chaque village aura un Moukthar; s'il y a plusieurs quartiers et plusieurs classes d'habitants, il y aura un Moukhtar par quartier et par classe. || Art. 17. Aucun village ne pourra relever de deux nahiés à la fois.

Chapitre V. — Police.

Art. 18. La police et la gendarmerie seront recrutées parmi les sujets Ottomans dans la proportion du chiffre général des habitants Musulmans et non-Musulmans du vilayet. Des contingents suffisants seront affectés à chaque subdivision administrative, y compris le nahié. || Art. 19. Les agents de police affectés au service du nahié agiront sous les ordres du Moudir. Leur solde sera payée par les caisses des districts. || Les agents non-Musulmans continueront à payer la taxe d'exonération du service militaire. || Art. 20. C'est la gendarmerie qui est chargée du maintien de l'ordre et de l'escorte de la poste.

Chapitre VI. — Gendarmerie.

Art. 21. Les gendarmes seront recrutés parmi les habitants Musulmans et non-Musulmans de l'Empire proportionellement au chiffre total des populations des différentes religions dans chaque vilayet. || Malgré la promesse contenue dans le paragraphe 4 final de la réponse de la Porte du 2 Juin, 1895, la Porte écarte les Chrétiens des grades d'officiers et de sous-officiers dans la gendarmerie.

Chapitre VII. — Prisons.

Art. 22. Il sera apporté plus de soins à l'application des Règlements concernant la tenue des prisons et le traitement des détenus et des prisonniers.

Chapitre VIII. — Comité d'Enquête Préliminaire.

Art. 23. Le Comité d'Enquête préliminaire fonctionnera suivant les prescriptions de l'Article 11 des Instructions sur l'administration des vilayets. (Aristarchi, vol. 5, p. 53.)

Nr. 10964. Grossbritannien. 21. Aug. 1895.

Chapitre IX. — Contrôle des Kurdes.

Art. 24. Les localités de migration des Kurdes seront fixées d'avance, et un officier avec une force armée suffisante et de gendarmes accompagnera la tribu dans sa migration. Un Commissaire de Police lui sera adjoint. || Les Kurdes donneront des otages pendant leurs migrations. || Les Règlements sur les feuilles de route et le port d'armes seront appliqués aux Kurdes. || S'il y a des tribus "constamment errantes", le Gouvernement les engagera à se fixer en leur concédant des terres. || Le droit d'élection et d'éligibilité n'appartient pas aux individus faisant partie des populations non sédentaires.

Chapitre X. — Cavalerie Hamidié.

Art. 25. Le port d'armes et d'uniformes par les cavaliers Hamidiés, en dehors des périodes d'instruction, seront défendus par des Règlements militaires à élaborer. || Dans les mêmes circonstances ils sont justiciables des Tribunaux ordinaires.

Chapitre XI. — Titres de Propriété.

Art. 26. On instituera au chef-lieu du vilayet et des sandjaks des Commissions pour la revision des titres de propriété. Ces Commissions seront composés de quatre membres (deux Musulmans et deux non-Musulmans) et présidées par le Directeur des Archives ou le préposé aux immeubles. || Leurs décisions seront soumises aux Conseils Administratifs. || En outre, quatre délégués seront envoyés chaque année de Constantinople aux vilayets pour examiner les irrégularités qui auraient pu surgir dans les affaires de propriété.

Chapitre XII. — Perception des Dîmes et Impôts.

Art. 27. Des „détachements spéciaux" sont chargés de la perception des impôts, pour éviter l'emploi de la force publique. Ces détachements ne peuvent faire aucune réquisition de fourrages et de vivres. Le prélèvement et la consignation des impôts aux caisses de l'État incombent aux Moukhtars et aux Receveurs des villages et quartiers élus par les habitants. || Les membres des "détachements spéciaux" n'ont pas à manier d'argent. || Art. 28. La perception de la dîme se fera par voie d'affermage. L'affermage en gros reste aboli et a été remplacé par la mise en adjudication par villages et au nom des habitants avec recours aux Tribunaux en cas de difficultés. || La prestation en nature et en argent est maintenue. || Le budget de l'Instruction Publique dans chaque vilayet est fixé par le Ministère de l'Instruction Publique. || La vente pour cause de dettes fiscales ou personnelles de la demeure du contribuable, des terrains nécessaires à sa subsistance, de ses instruments de travail, de ses bêtes de labour, et de ses grains demeure interdite.

Chapitre XIII. — Justice.

Art. 29. Il y aura dans chacune des localités du nahié un Conseil des Anciens présidé par le Moukhtar et dont la mission sera de concilier à

l'amiable les contestations entre les habitants. || Arts 30, 31, 32, 33, 34, 35, 36, 37, 38 et 39. L'organisation judiciaire demeurera telle qu'elle est à présent. || Art. 40. Les jugements seront exclusivement libellés en langue Turque. L'Article 26 des Instructions sur les vilayets (Aristarchi, vol. V, p. 56) déclare que les jugements seront libellés en Turc et seront accompagnés, suivant les besoins, d'une traduction en langue locale.

Beilage 2.

Résumé du Contre-Projet du Gouvernement Impérial.

Chapitre I. — Valis.

Article I. Les Valis seront Musulmans et nommés par Iradé Impérial. || Art. 2. La durée des pouvoirs des Valis n'est pas limitée. || Art. 3. Des adjoints non-Musulmans seront nommés auprès des Valis, ainsi que cela est prévu au Chapitre II du Règlement de l'Administration Générale des Vilayets. || Ils ont pour attributions aux termes du dit Chapitre II de coopérer aux affaires générales du vilayet et d'en préparer l'expédition.

Chapitre II. — Mutessarifs.

Art. 4. Les Mutessarifs seront Musulmans et là où le Gouvernement Impérial le jugera nécessaire il nommera auprès d'eux des Mouavins Chrétiens.

Chapitre III. — Caïmacams.

Art. 5. Les Caïmacams seront choisis par le Ministère de l'Intérieur parmi les diplômés de l'École Civile sans distinction de religion et nommés par Iradé Impérial. || Les Caïmacams Musulmans et non-Musulmans actuellement en fonction et reconnus capables pourront, quoique non diplômés de cette école, continuer leur carrière dans l'Administration. || Art. 6. En vue de maintenir d'une façon équitable le principe de justice et d'égalité, le Gouvernement Impérial, lorsqu'il aura à procéder à l'organisation, agira en tenant compte de la proportion du nombre de ses sujets. || Dans les cazas "ayant une position importante" des Mouavins, ayant une religion différente de celle du Caïmacam, seront nommés. Sont maintenus les Conseils Administratifs du sandjak et du caza composés de membres de droit et de membres élus.

Chapitre IV. — Nahiés.

Art. 7. L'organisation des nahiés sera mise en vigueur selon les prescriptions des Articles 94 à 106 du Règlement sur l'administration générale des vilayets du 9 Janvier, 1286, et des Articles 1 à 28 du Règlement sur l'administration communale du 25 Mars, 1292. || Art. 8. Chaque nahié sera administré par un Moudir et un Conseil composé de quatre membres élus par les habitants. || Art. 9. L'élection des membres du Conseil du nahié se fera proportionnellement aux classes de la population. Si la population du cercle

communale est mixte, la minorité devra être représentée proportionnellement à son importance relative à condition qu'elle comprenne aux moins vingt-cinq maisons. || Art. 10. Les Moudirs et les Secrétaires des nahiés sont retribuées. || Art. 11. Les candidats au Conseil de nahié devront remplir les conditions prescrites par les Règlements de l'administration générale des vilayets et de l'administration communale. || Art. 12. Les Moudirs seront choisis et nommés par le Gouvernement Impérial. || Art. 13. Les fonctionnaires, les professeurs, et les prêtres ne peuvent être Moudirs. || Art. 14. Les membres du Conseil seront renouvelés par moitié chaque anneé et rééligibles. || Art. 15. Les attributions du Moudir et des Conseils sont réglées par les Articles 20 à 27 du Règlement sur l'administration des communes, sauf que les Moudirs seront, comme il est dit plus haut, nommés par le Gouvernement Impérial. || Art. 16. Chaque village aura un Moukhtar; s'il y a plusieurs quartiers et plusieurs classes d'habitants, il y aura un Moukhtar par quartier et par classe. || Art. 17. Aucun village ne pourra relever de deux nahiés à la fois.

Chapitre V. — Police.

Art. 18. La police et la gendarmerie seront recrutées parmi les sujets Ottomans dans la proportion du chiffre général des habitants Musulmans et non-Musulmans du vilayet. Des contingents suffisants seront affectés à chaque subdivision administrative, y compris le nahié. || Art. 19. Les agents de police affectés au service du nahié agiront sous les ordres du Moudir et seront commandés par les Commissaires. Leurs armes et leurs uniformes seront identiques aux modèles déjà adoptés pour la police. || Art. 20. C'est la gendarmerie qui est chargée du maintien de l'ordre et de l'escorte de la poste.

Chapitre VI. — Gendarmerie.

Art. 21. Les gendarmes seront recrutés parmi les habitants Musulmans et non-Musulmans suivant les exigences locales, et les officiers et sous-officiers de ce corps choisis dans les cadres de l'armée Impériale. || La gendarmerie est entretenue et soldée aux frais du vilayet. La solde des gendarmes est supérieure à celle des soldats de l'armée Impériale et celle des officiers équivalente à la solde des officiers de l'armée Impériale.

Chapitre VII. — Prisons.

Art. 22. Il sera apporté plus de soins à l'application des Règlements concernant la tenue des prisons et le traitement des détenus et des prisonniers.

Chapitre VIII. — Comité d'Enquête Préliminaire.

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tribu dans sa migration. Les Kurdes donneront des otages pendant leurs migrations. || Les Règlements sur les feuilles de route et le port d'armes seront appliqués aux Kurdes. || S'il y a des tribus "constamment errantes", le Gouvernement les engagera à se fixer en leur concédant des terres.

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Chapitre XIII. — Justice.

Art. 29. Il y dans chacune des localités un Conseil des Anciens, présidé par le Moukhtar, et dont la mission est de concilier à l'amiable les contestations entre les habitants, contestations prévues par les lois judiciaires. || Articles 30, 31, 32, 33, 34, 35, 36, 37, 38 et 39. L'organisation judiciaire demeurera telle qu'elle est à présent. || Art. 40. Les Jugements seront exclusivement libellés en langue Turque.

Nr. 10965. GROSSBRITANNIEN. — Der Botschafter in Konstantinopel an den Minister des Auswärtigen. Shakir Pascha hat keinen Christen in seiner Kommission.

Constantinople, August 24, 1895, 9.15 p. m. (Received August 24.)

Nr. 10965. Gross-britannien. 24. Aug. 1895.

Telegraphic. || Danish Bey, Director of the Consular Department at the Porte, has been appointed as assistant to Shakir Pasha on the Commission. The other members are Aides-de-camp of the Sultan and officials of the Imperial Chancery, and no Christian is attached to it. || Shakir Pasha leaves for Erzeroum to-morrow.

Nr. 10966. GROSSBRITANNIEN. — Der Botschafter in Berlin an den Minister des Auswärtigen. Deutschland empfiehlt der Pforte Nachgiebigkeit.

Berlin, August 24, 1895. (Received August 26.)

Nr. 10966. Gross-britannien. 24. Aug. 1895.

My Lord, || In the course of conversation yesterday Baron von Marschall said he had seen Tewfik Pasha, the Turkish Ambassador, three days ago, and had urged him strongly to advise the Porte to make concessions with regard to Armenia, and to yield with a good grace to the advice tendered by Her Majesty's Government. || His Excellency said that, in his opinion, the scheme of reforms proposed by the three Powers was very moderate in its scope, and that it was in the interest of Turkey to accept the same without further delay.

E. B. Malet.

Nr. 10967. GROSSBRITANNIEN. — Der Minister des Auswärtigen an den Botschafter in Konstantinopel. Russlands Ansicht über die Reorganisation der Gendarmerie.

Foreign Office, August 26, 1895.

Nr. 10967. Gross-britannien. 26. Aug. 1895.

Telegraphic. || I was informed to-day by the Russian Chargé d'Affaires that his Government consider it undesirable to insist on the reorganization of the gendarmerie and the fixed term of office for the Valis in the Armenian provinces. The Russian Government still adhere to the opinion that the introduction of Christians into the gendarmerie of the provinces, whether they be mingled with the Mahommedans or formed into separate companies, would be a cause of disturbance and sanguinary strife.

Nr. 10968. GROSSBRITANNIEN. — Der Botschafter in Petersburg an den Minister des Auswärtigen. Fürst Lobanoff über die Einrichtung einer Ueberwachungskommission.

St. Petersburgh, August 28, 1895. (Received August 28.)

Nr. 10968. Gross-britannien. 28. Aug. 1895.

Telegraphic. || This afternoon the Russian Minister of Foreign Affairs informed me of the language which he had given the Russian Chargé d'Affaires

instructions to use to your Lordship. He trusts that an agreement is not far off. With regard to the two points at issue, M. de Nélidoff has reported that the question of the duration of the appointment of the Valis was one which could be dropped by the Representatives of the Powers, and the principle that the Gendarmerie should be recruited among the non-Mussulman and Mussulman inhabitants was accepted in the Project presented by the Porte. No further difficulty is, therefore, anticipated with regard to these matters. || Prince Lobanoff added that, although he would have preferred the Surveillance Committee should sit at Constantinople, in a conciliatory spirit and to avoid making difficulties, he had accepted your Lordship's proposal, but the Russian Ambassador at Constantinople had pointed out to him that a claim to be represented on the Committee might be put in by the other Powers who signed the Treaty of Berlin, the Committee being based on that Treaty, and, supposing this were to happen, your Lordship's proposed Committee of four Turks and three Europeans would no longer be possible. Prince Lobanoff does not like the idea of a Committee composed of a larger number of persons.

Nr. 10968. Grossbritannien. 28. Aug. 1895.

Nr. 10969. GROSSBRITANNIEN. — Der Botschafter in Konstantinopel an den Minister des Auswärtigen. Der Sultan will eine türkische Kontrollkommission zugestehen.

Constantinople, September 1, 1895, 10.40 a. m. (Received September 1.)

Telegraphic. || The following is the tenour of a verbal communication which Turkhan Pasha came yesterday evening to make to the three Embassies: — || The Turkish Commission of Control as proposed by the three Ambassadors would be accepted by the Sultan on the understanding that the Dragomans would restrict their communications with the Commission to the reforms adopted by the Porte. || The nomination or election of Mudirs from the local Notables, the institution of rural guards, and the appointment of Christians, in proportion to their numbers, to the Administration and Gendarmerie would also be accepted. || I said that a Commission with European members had now been demanded by the Powers. || The Minister for Foreign Affairs replied that a Commission with European members was quite out of the question, and he urged that his proposals should be telegraphed to your Lordship. || I declined to do so unless the Foreign Minister put them in writing. This, without further instructions, he did not venture to do.

Nr. 10969. Grossbritannien. 1. Sept. 1895.

Nr. 10970. RUSSLAND. — Der Minister des Auswärtigen an den Geschäftsträger in London. Russland will das Zugeständnis der Pforte annehmen.

Le 4 September 1895.

La Porte consent, pour éviter la Commission de Surveillance proposée par Lord Salisbury, à admettre les communications directes des Drogmans

Nr. 10970. Russland. 4. Sept. 1895.

Nr. 10970. Russland. 4. Sept. 1895. avec la Commission de Contrôle recommandée dans le projet des Ambassadeurs et cède sur la presque totalité de nos demandes avec des modifications relativement peu importantes. Nous croyons qu'on pourrait être satisfait de ce résultat pour terminer l'affaire Arménienne, mais aimerions préalablement connaître l'opinion du Cabinet Britannique.

Nr. 10971. GROSSBRITANNIEN. — Der Minister des Auswärtigen an die Botschafter in Paris und Petersburg. Nimmt den russischen Standpunkt an, wenn die Pforte schriftlich Reformen verspricht.

Foreign Office, September 7, 1895.

Nr. 10971. Grossbritannien. 7. Sept. 1895. Extract. || The Russian Chargé d'Affaires called here on the 4th instant and communicated the substance of a telegram from Prince Lobanoff on the last proposal made by the Porte respecting Armenian reforms. || I inclose a copy of this communication, in which you will perceive that the Prince expresses his opinion that the proposal concedes most of our demands, with only unimportant modifications. He thinks therefore that it might be accepted as a satisfactory settlement of the question, but he invites the opinion of Her Majesty's Government on the subject. || The French Ambassador called on the following day, and stated that M. Hanotaux was equally of opinion that, if possible, advantage should be taken of this offer to settle the question. || In reply to these communications, the French Ambassador on the Russian Chargé d'Affaires have been informed that, in my opinion, if the Porte offers in writing to accept the reforms proposed by the Ambassadors, with only unimportant omissions, the three Governments should accept the offer, though I have little confidence in any Commission composed exclusively of Turkish subjects. || I have laid stress on the importance of the offer being made in writing, and containing a substantial acceptance of the demands made by the Ambassadors, if it is to be taken in lieu of the Mixed Commission.

Nr. 10972. TÜRKEI. — Erlass an den Botschafter in London (dem Englischen Auswärtigen Amt am 9. September mitgeteilt). Weitere türkische Zugeständnisse.

Constantinople, le 6 Septembre, 1895.

Nr. 10972. Türkei. 6. Sept. 1895. Votre Excellence sait qu'à la suite du Mémorandum et du projet de réformes qui nous avaient été présentés par les trois Ambassadeurs, nous leur avions remis, de notre côté, un contre-projet élaboré par la Commission Ministérielle et sanctionné par Iradé Impérial. Copie de ce contre-projet a été envoyé à votre Excellence en son temps. || Il nous est revenu depuis que, trouvant les points acceptés par nous insuffisants, on allait nous faire certaines demandes concernant six autres points qui, exclus et discutés en Conseil des Ministres, ont été avec la sanction Impériale acceptés dans la forme sui-

Nr. 10972. Türkei. 6. Sept. 1895.

vante: — || 1. Les avis et communications que les Drogmans auront à faire à la Commission devront se borner aux réformes dont l'application à été décidée par le Gouvernement Impérial pour les six vilayets et ne point s'en écarter; || 2. A l'exception des Valis et des Mutessarifs, qui devront être Musulmans, des fonctionnaires Chrétiens seront nommés proportionnellement au chiffre des populations; || 3. Il y aura dans chaque nahié des gardes champêtres. Le nombre en sera fixé par les Gouverneurs-Généraux sans pouvoir excéder le chiffre de cinq pour chaque nahié. Il va sans dire que dans les nahiés habités par des populations différentes, ils seront mixtes. Ces gardes champêtres seront choisis par le Conseil de Nahié. Leur uniforme et leur armement seront arrêtés par le Département de la Guerre; || 4. Les Règlements existant sur les prisons seront strictement observés et appliqués; || 5. Il y aura des officiers Chrétiens dans la police et la Gendarmerie; et || 6. Les Moudirs des nahiés seront, conformément aux Règlements, élus parmi les membres des Conseils des Nahiés. || Je prie votre Excellence de voir immédiatement son Excellence le Ministre des Affaires Étrangères et de lui faire part de ce qui précède. || Votre Excellence aura soin de déclarer en même temps que le Gouvernement Impérial ayant pris acte des assurances données tant ici par les trois Ambassadeurs au nom de leurs Gouvernements que par ceux-ci à nos Ambassadeurs accrédités auprès d'eux "comme quoi il ne pouvait même leur passer par l'idée de faire des propositions pouvant porter atteinte aux droits souverains de notre auguste Maître et à l'indépendance de l'Empire", il est évident que les six vilayets en question ne pourront acquérir dans l'avenir aucun caractère privilégié; et si, par impossible, une idée pareille venait un jour à surgir, le Gouvernement profitera des assurances précitées.

Nr. 10973. TÜRKEI. — Erlass an den Botschafter in London (dem englischen Auswärtigen Amt am 9. September mitgeteilt). Bestimmung über die christlichen Gendarmen.

Constantinople, le 6 Septembre, 1895.

Nr. 10973. Türkei. 6. Sept. 1895.

Dans le cas où il se trouverait parmi les officiers de gendarmerie, les agents de police, et les gardes champêtres Chrétiens des individus qui, se laissant circonvenir par les manoeuvres et les intrigues des Comités Arméniens, manqueraient à leurs devoirs de fidélité, et, abusant de leur qualité, se porteraient, contrairement aux sentiments d'humanité, à des insultes et à des vexations à l'égard des Musulmans, ou qui prêteraient une aide matérielle ou morale aux agitateurs, le Gouvernement Impérial, sans préjudice de son droit d'avoir recours à l'action publique, se réserve, en cas de récidive et s'il le juge nécessaire, d'en aviser les trois Puissances et de se concerter à cet égard officieusement avec leurs Ambassadeurs.

Nr. 10974. **GROSSBRITANNIEN.** — Der Botschafter in Petersburg an den Minister des Auswärtigen*). Unterredungen mit Fürst Lobanoff seit dem 30. August.

St. Petershurgh, September 10, 1895. (Received September 16.)

Nr. 10974. Gross-britannien. 10.Sept.1895.

My Lord, || By my telegram of the 31st ultimo, I had the honour to report to your Lordship the substance of a conversation which I had with Prince Lobanoff on the previous evening on the subject of Armenian reforms. His Excellency told me that he had heard from Constantinople that the Committee of Control suggested in the Ambassadors' scheme of reforms was still being discussed, although he had understood that that Committee had been superseded by the Committee of Surveillance proposed by your Lordship, and it was in the belief that such was the case that he had accepted your Lordship's proposal. He was now anxious to know whether the view he had taken was correct. || I replied that I had formed exactly the same opinion as his Excellency, but in order that there might be no doubt on the subject, I would at once submit the question to your Lordship. || On the receipt on the 2nd instant of your Lordship's telegram of the 1st, I called upon Prince Lobanoff to inform him that his impression was quite correct.

His Excellency then communicated to me a telegram which he had received from M. De Nélidoff, and which explained the matter. The Sultan had been so much alarmed at your Lordship's proposal, that he had declared himself willing to accept not only the Committee of Control suggested by the Ambassadors, but also the five points which were under discussion. M. Nélidoff also reported, that this new communication from the Sultan amounted to a practical acceptance of the Ambassadors' demands with insignificant modifications. His Excellency dwelt at some length on the desirability of bringing the question to a speedy conclusion, and expressed the hope, that an opportunity now offered for doing so. || On the afternoon of the 7th instant, I had a further interview with Prince Lobanoff, who showed me a telegram which he had received from the Russian Chargé d'Affaires in London, which, however, did not enable him to gather exactly what your Lordship's views were. His Excellency insisted upon the great desirability of putting an end to a question which had already dragged on too long, and which was inciting agitation not merely in the Armenian provinces, but throughout the whole of the Turkish Empire. He had reason to know that the French Government entirely shared this view, and he sincerely hoped that your Lordship would not allow an opportunity, which seemed a favourable one for settling the matter definitively, to be lost. || Last night I had the honour of receiving your Lordship's telegram with regard to the six points which had been accepted in addition to those contained in the Turkish counter-project, and on meeting Prince Lobanoff at dinner to-night I asked him whether he had anything more to tell me with

*) Anm. Substance telegraphed.

regard to this question. || His Excellency replied that he was most anxious to know what view your Lordship took of this communication from the Porte, and that he was awaiting with the greatest interest a telegram from M. Kroupensky on the subject. Frank C. Lascelles.

Nr. 10974. Grossbritannien. 10.Sept.1895.

Nr. 10975. GROSSBRITANNIEN. — Der Minister des Auswärtigen an den Botschafter in Petersburg. Zwei Methoden zur Beendigung der armenischen Frage.

Foreign Office, September 11, 1895.

Nr. 10975. Grossbritannien. 11.Sept.1895.

Telegraphic. || I concur in Prince Lobanoff's view that a settlement of this Armenian question is highly desirable. It can, however, only be brought to a conclusion by some sort of security being afforded by the Sultan to the inhabitants of these provinces for life and property. || There are two ways by which this object may be attained. || One method is that advised by the Ambassadors of the three Powers at Constantinople, which consists in requiring that among the functionaries of all kinds there should be a proportion of Christians, and that where the high officials are Mussulmans they should have a Christian for their Assessor, and vice versâ. || The other method consists in allowing a continuance of the present Mussulman administrative organization under the supervision of a Commission resident in the province, and composed partially of European Commissioners, who should be able to report abuses to the Ambassadors at Constantinople. This was the suggestion of Her Majestys Government. It received the approval of the Governments of France and Russia, and was recommended verbally to the Turkish Government. || Her Majesty's Government are willing to negotiate on either the one or the other of these forms of guarantee, but at present no definite offer of either in writing has reached them.

Nr. 10976. TÜRKEI. — Erlass an den Botschafter in London (dem englischen Auswärtigen Amt am 14. September mitgeteilt). Ueber die zwei Methoden Salisburys.

Constantinople, le 14 Septembre, 1895.
(Communicated by Rustem Pasha, September 14.)

Nr. 10976. Türkei. 14.Sept.1895.

Télégraphique. || Nous désirons comme Lord Salisbury que la question qui nous occupe soit réglée dans le plus bref délai. Des deux méthodes qu'elle indique, la seconde, à savoir l'institution sur les lieux d'une Commission d'Inspection composée en partie de Commissaires Européens, ne saurait en aucune façon être acceptée par nous parce qu'elle porterait atteinte aux droits souverains de Sa Majesté Impériale le Sultan, notre auguste Maître, que les trois Puissances nous ont assuré à maintes reprises vouloir respecter et parce qu'elle coastituerait une ingérence évidente dans nos affaires intétieures. || Reste la première, qui consisterait à nommer dans une certaine pro-

Nr. 10976. Türkei. 14. Sept. 1895. portion des fonctionnaires Chrétiens dans les vilayets en question. Or, ainsi qu'il est spécifié dans le second des six points que nous avons acceptés en dernier lieu, le Gouvernement Impérial consent à nommer dans les dites provinces des fonctionnaires Chrétiens proportionnellement au chiffre de la population. || Votre Excellence sait que l'Empire se divise en grandes contrées désignées sous le nom de vilayets administrées par des Gouverneurs-Généraux. Auprès des Gouverneurs-Généraux des six vilayets en question se trouverons des Adjoints Chrétiens (voir l'Article 1er de notre Contre-Projet). || Les vilajets se divisent eux-mêmes en plusieurs départements ("sandjaks"). Les Gouverneurs les plus importants de ces départements auront à côté d'eux des Adjoints Chrétiens. || Quant aux subdivisions des dits départements dénommés cazas (districts), les Sous-Gouverneurs qui se trouvent à leur tête seront nommés sans distinction de religion. Cependant dans les cazas d'une certaine importance si le Sous-Gouverneur est Musulman, son Adjoint sera Chrétien et vice versa (voir l'Article 4 de notre Contre-Projet). || Les districts ("cazas") se composent de plusieurs communes ("nahiés") qui seront administrées par des Moudirs (Maires) sans distinction de religion et élus parmi les membres des Conseils Communaux (voir le dernier des six points). || Pour ce qui est des autres branches administratives provinciales, des fonctionnaires Chrétiens y seront nommés proportionnellement au chiffre de la population (voir le second des six points). || De plus, il y aura des officiers Chrétiens dans la police et la gendarmerie (voir le cinquième des points). || Je crois superflu de m'étendre sur les autres réformes résultant de notre Contre-Projet dont le résumé a dû être communiqué à Lord Salisbury par Sir Philip Currie, ainsi que sur les trois autres des six points acceptés en dernier lieu, qui se trouvent spécifiés dans un de mes précédents télégrammes, dont le plus important a trait aux communications à faire par les Drogmans à la Commission (voir le premier point). || Le désir de Lord Salisbury, qui est d'associer les Chrétiens aux Musulmans dans l'administration des six vilayets en question, se trouvant ainsi réalisé, nous aimons à espérer que sa Seigneurie voudra bien considérer la question comme résolue.

Nr. 10977. GROSSBRITANNIEN. — Der Minister des Auswärtigen an den Botschafter in Paris. Unterredung mit dem französischen Botschafter.

Foreign Office, September 24, 1895.

Nr. 10977. Grossbritannien. 24. Sept. 1895. My Lord, || The French Ambassador called at the Foreign Office on the 20th instant to ask what was the state of the negotiations with regard to the introduction of reforms in the provinces of Asiatic Turkey inhabited by Armenians. || His Excellency was received in my absence by Mr. Bertie, who informed him of my recent communications with Sir F. Lascelles and Rustem Pasha, and that I had caused the Russian Government to be told that I considered that the offer of the Porte must be a substantial acceptance in writing

of all the more important proposals of the three Ambassadors before it could be regarded as a substitute for my proposal for the appointment of a Mixed Commission. || Mr. Bertie also said that I had informed Rustem Pasha, with reference to a telegram from the Porte which was communicated by his Excellency on the 14th instant, and of which I inclose a copy, that I thought the negotiations had better be carried on at Constantinople as before. || Mr. Bertie read to Baron de Courcel Sir P. Currie's telegram of the 18th instant, stating, that he had been informed by the Russian Ambassador at Constantinople that the French Government had suggested that the three Ambassadors should jointly consider the best means of utilizing the proposals of the Porte respecting Armenian reforms. || M. de Courcel observed that this was not quite a suggestion of his Government, but that they were inclined to advocate the mode of proceeding indicated, subject to my concurrence. His Excellency added that Prince Lobanoff had informed M. Hanotaux that he had sent instructions of that nature to the Russian Ambassador at Constantinople. || M. de Courcel said that the French Government were anxious to continue the accord of the three Powers at Constantinople, and he inquired whether I would be content with the acceptance — a formal acceptance — by the Porte of the proposals of the three Ambassadors, or rather the six points, as it was very important to close the question as soon as possible. || Mr. Bertie read to Baron de Courcel my telegram to Sir F. Lascelles of the 11th instant, in which I stated that I considered that the offer of the Porte must be a substantial acceptance in writing of all the more important proposals of the three Ambassadors before we could regard it as a substitute for the Mixed Commission. || M. de Courcel did not think there would be any difficulty in obtaining from the Porte an acceptance in writing, but he raised a question of form, not under instructions, but personally, viz, whether the Powers could insist upon a written and signed acceptance of a project which, though communicated to the Porte, had not been signed by the Ambassadors or sent in a signed note. || I have imformed M. de Courcel that I consider that we must not only have the assurances of the Porte in writing, but that they must contain satisfactory concessions with respect to the appointment of a Christian "Adjoint" of the Commissioner, and of Christian "Adjoints" of the Valis, if Moslems, and with respect to admitting Christians to a share of all offices below that of Vali, down to the rural police. Salisbury.

Nr. 10977. Gross-britannien. 24.Sept.1895.

Nr. 10978. GROSSBRITANNIEN. — Der Minister des Auswärtigen an den Botschafter in Petersburg. Eine Unterredung mit dem russischen Geschäftsträger.

Foreign Office, September 24, 1895.

Sir, || The Russian Chargé d'Affaires called at the Foreign Office on the 21st instant, and was received in my absence by Mr. Bertie. || M. Kroupensky said that Prince Lobanoff had instructed him by telegraph, after an interview

Nr. 10978. Gross-britannien. 24.Sept.1895.

Nr. 10978. Grossbritannien. 24.Sept.1895.

which his Excellency had had whith the French Minister for Foreign Affairs, to inquire what was my definite opinion on the telegram from the Porte, relative to Armenian reforms, dated the 14th September, which had been communicated to me by the Turkish Ambassador. I inclose a copy of the telegram from the Porte. || M. Kroupensky stated that Prince Lobanoff was of opinion, that the document constituted an acceptance of the most important points of the scheme of reforms communicated to the Porte by the three Ambassadors, and that it might be accepted by the Powers. || Mr. Bertie informed M. Kroupensky that the reply given to Rustem Pasha had been that I thought that the further negotiation had better be carried on at Constantinople as before. || M. Kroupensky said that Prince Lobanoff would be glad to know my personal opinion on Rustem Pasha's communication, and whether I would accept it if the three Ambassadors at Constantinople recommended it. || Mr. Bertie replied that, in my opinion, any acceptance by the Porte of the demands of the Ambassadors must be in writing. || I have informed M. Kroupensky that, if Her Majesty's Ambassador at Constantinople reported to me that the Sultan had in writing accepted the material portions of the scheme of the three Ambassadors, I should be content; that the proposals which have proceeded from the Porte up to this time have been studiedly indefinite in all respects, and obviously insufficient in some; for instance, the appointment of Christian Valis or Mutessarifs is not admitted. Salisbury.

Nr. 10979. **GROSSBRITANNIEN.** — Der Minister des Auswärtigen an den Botschafter in Paris. Frankreich teilt die Anschauung der englischen Regierung.

Foreign Office, September 30, 1895.

Nr. 10979. Grossbritannien. 30.Sept.1895.

My Lord, || The French Ambassador called at the Foreign Office on the 24th instant. || Baron de Courcel stated that he considered my views as to what should be required from the Turkish Government in the matter of Armenian reforms, as set forth in my despatch to your Excellency of the 24th instant, as coinciding with those of his Government. || His Excellency thought that the note which M. Hanotaux and Prince Lobanoff proposed should be addressed by the three Ambassadors to the Porte would elicit a written answer. || He said that the French Government were anxious that the Ambassadors should proceed at once, so that the question might be closed.

Salisbury.

Nr. 10980. **GROSSBRITANNIEN.** — Der Botschafter in Konstantinopel an den Minister des Auswärtigen. Strassenkampf in Konstantinopel zwischen Armeniern und Türken.

Nr. 10980. Grossbritannien. 1. Oct. 1895.

Constantinople, Octobre 1, 1895, 8.30 p.m. (Received October 1.)

Telegraphic. || I have received the following account of the riots which took place yesterday in Stamboul from a trustworthy eye-witness: || About

2000 Armenians, mostly young men of the middle class, assembled near the Porte with the object of presenting a Petition to the Grand Vizier. The gendarmerie stopped them, and the officer in command summoned them to disperse, and, on their refusing to do so, gave the order to seize their leader. The Armenians carried revolvers and knives, all of one pattern. Shots were exchanged, and the officer of the gendarmerie was killed. About fifteen gendarmes and sixty Armenians fell. The police then dispersed the Armenians, pursuing them and arresting large numbers. || The Softas and other Turks, who had been supplied with clubs, set on the Armenians in the streets and beat many of them to death under the very eyes of the police. About 500 Armenians were arrested. Other demonstrations took place at the same time in different parts of Stamboul. 1000 armed Armenians with women and children have taken refuge in the church of the Patriarchate, where they are besieged by the police. || The police treated the prisoners with the greatest brutality; the Cavass of the British Consulate saw four men brought into the courtyard of the Ministry of Police and bayonetted in cold blood. The Grand Vizier sent twice for the Patriarch yesterday, who, however, did not obey His Highness' summons. Notwithstanding official statements that order has been restored, there have been several murders of Mussulmans and Armenians to day in Stamboul and Galata. || The attitude of the Moslem population causes great uneasiness, and apprehension is felt as to the safety of the Christians.

Nr. 10981. **GROSSBRITANNIEN.** — Der Minister des Auswärtigen an die Botschafter in Paris und Petersburg. In Konstantinopel ist gemeinsames Handeln notwendig.

Foreign Office, October 2, 1895.

Telegraphic. || It is necessary, in order to enable the negotiations at Constantinople for the introduction of reforms in the provinces inhabited by Armenians to proceed, that further instructions should be sent to the Ambassadors. || I request your Excellency to propose to the Government to which you are accredited to instruct their Ambassador at Constantinople to concert with the other two Ambassadors in regard to the points in the scheme communicated to the Porte on the 11th May last which in their opinion are necessary for the protection of the lives and property of the Armenians, and to report the result of their consultation.

Nr. 10982. **GROSSBRITANNIEN.** — Der Botschafter in Konstantinopel an den Minister des Auswärtigen. Bericht über den Aufstand in Konstantinopel. Uebersendet eine Mitteilung des armenischen Revolutionskomitees, eine Petition der Armenier und eine Note aller Botschafter an die Pforte.

Therapia, October 3, 1895. (Received October 7.)

Nr. 10982. Grossbritannien. 3. Okt. 1895.

My Lord, || A communication bearing the seal of the "Hindchag", the Armenian Revolutionary Committee, was addressed to the Embassies on the 28th ultimo, stating that a strictly peaceful demonstration was about to be made by the Armenians in order to express their desire for reforms. A copy of this communication is inclosed, together with a Memorial received from the same source, which appears to be a copy of an Address drawn up for presentation to the Porte. || The demonstration took place on the 30th ultimo, but unhappily it had not the peaceful character attributed to it.

The demonstrators were armed with pistols and knives of an uniform pattern which had no doubt been issued to them by the organizers of the movement. || There is good reason to suppose that the object of the "Hindchag" was to cause disorder and bloodshed with the view of inducing the Powers of Europe to intervene on behalf of the Armenians. || It is stated that 3000 persons took the Sacrament in the various Armenian churches on the preceding Sunday in order to be prepared for death. || I am told that the Patriarch besought the congregation at the Cathedral church of Koum Kapou in the most earnest manner to abstain from deeds of violence, and to trust to the efforts which were being made on their behalf by some of the Powers, but his discourse was ill-received. A young Armenian springing up shouted, "We have waited long enough", and a rush was made towards the Patriarch, who took hasty refuge in his private apartments. || On the morning of the 30th ultimo, crowds of Armenians assembled in various quarters of the town, the largest assemblage being in the Armenian quarter of Koum Kapou. They proceeded towards the Porte in numbers, estimated by eye-witnesses at about, 2000, though this is probably an exaggeration. || The authorities appear to have taken some steps to organize a counter-demonstration, and it was observed that an unusual number of Softahs and other Turks armed with sticks were collected in the streets. || The police made some effort to induce the crowd to retire peaceably. || According to the statement made by the Minister of Police to one of the Dragomans of the Embassy, he deputed Server Bey, a Major in whom he had special confidence, to urge the crowd to disperse. || On their refusing to do so, and stating their intention of proceeding to the Porte, he ordered his men to drive back the crowd with the flat of their swords and the butt-end of their muskets. At the same time, two mounted gendarmes seized upon the leader of the procession, who carried the Memorial which it was intended to present to the Porte. Shots were then exchanged.

It it said that the first which was fired proceeded from the Armenians and killed the Major of Gendarmes. || After a time, the Armenians fled in all directions, leaving many of their number on the ground — about thirty of the police, including four officers, were killed or wounded in the course of the day. The flying mob was pursued by the police and the Softahs, and other Turks then joined in the fray. || A German officer of high rank, who happened to be passing, saw close to the carriage an Armenian whose arms were held by several men while others beat him on the head with sticks, when he fell on the ground in an insensible condition: a zaptieh advanced and finished him by firing two shots into his body. || Similar acts are reported by other witnesses and it was specially noticed that the police stood by and even held the victims while they were beaten to death by private individuals. || The wounded prisoners appear to have been treated with great brutality and the porter of the British Consulate, who had gone to the Ministry of Police on business, saw four men brought in by the police and bayonetted as soon as they entered the gates of the courtyard. || The most serious feature of this unfortunate outbreak appears to be the violence exercised by the Softahs and other Turks with the consent, if not by the directions, of the authorities. This violence still continued yesterday. Armenians were attacked in all directions, and many have been killed. In one instance which occurred in Galata they resisted their assailants and shots were fired on both sides. Several khans, occupied by Armenians in various parts of the town, have also been invaded and the inmates massacred. || If these proceedings are not promptly put a stop to, it is to be feared that the lives of other Christians, and even of foreigners, may be in danger. Many Armenians have taken refuge in the churches; the rest generally remain in their houses. In the church of the Patriarchate at Koum Kapou from 500 to 1000 armed men are collected. || Urgent messages have been sent to the Patriarch to send them away, but he has protested his inability to do so, and the issues are guarded by gendarmes. || An informal meeting took place yesterday morning at the house of the Austrian Ambassador, at which my Russian and German colleagues and I were present. It was decided to make the communication, of which a copy is inclosed, to the Foreign Minister, and this was accordingly done yesterday afternoon. || On learning from my Dragoman that Turkhan Pasha had received our representations with apparent indifference, and had denied the truth of the facts brought to his knowledge, I thought it desirable to communicate at once with the Grand Vizier, who had been summoned to the Palace before the Dragomans arrived at the Porte. I accordingly sent him the telegram of which a copy is inclosed.

Philip Currie.

Nr. 10982.
Gross-britannien.
3. Okt. 1895.

Beilage I.

Das armenische Revolutionskomitee an den englischen Botschafter in Konstantinopel.

Constantinople, le 16 (28) Septembre, 1895.

Excellence, || Les Arméniens de Constantinople ayant décidé de faire prochainement une manifestation tout à fait pacifique pour exprimer leur desiderata concernant les réformes à introduire dans les provinces Arméniennes, et cette manifestation ne devant avoir aucun caractére agressif, l'intervention de la police et de la force armée pour l'empêcher pourrait avoir des conséquences regrettables dont nous repoussons d'avance toute la responsabilité.

Beilage II.

Petition.

Constantinople, le 30 Septembre, 1895.

La population Arménienne de Constantinople et celle des provinces Asiatiques se trouvant dans la capitale, d'un accord unanime, ont organisé cette manifestation afin de protester solennellement contre l'état actuel des choses dans notre pays et de présenter à la Sublime Porte les réclamations du peuple Arménien. || Nous voulons aujourd'hui en attirant sur nous une fois de plus son attention, dire au monde civilisé la résolution inébranlable que nous avons prise de ne plus supporter la désastreuse et inique situation qui est faite à notre peuple. || Nous protestons contre la systématique persécution dont notre peuple est l'objet, surtout ces quelques années, persécution érigée par la Sublime Porte en principe gouvernemental ayant pour seul but de faire disparaître les Arméniens de leur propre pays — fait abondamment prouvé d'un côté par les rapports des Consuls et des correspondants de journaux Européens et d'un autre par les rapports officiels et les plaintes continuelles qui affluent au Patriarcat national. || Nous protestons contre l'état de siège que subit notre pays depuis quelques années — siège qui est la source même de tout l'arbitraire existant dans l'administration et qui est la cause principale de la pauvreté de notre peuple. || Nous protestons contre les innombrables arrestations politiques; contre les tortures barbares et inhumaines que l'on fait subir aux détenus; contre les actes de sauvagerie des Kurdes ainsi que contre les exactions iniques des fonctionnaires et des percepteurs d'impôts. || Nous protestons contre le massacre de Sassoun où, et c'est un fait aujourd'hui avéré, des milliers de nos frères et soeurs qui avaient osé demander une garantie de sécurité pour leurs corps et biens ainsi que la sauvegarde de leur honneur et de la libre pratique des exercices de leur culte, ont été traités en insurgés et par cela même passés par les armes et baignés dans leur propre sang. || Nous protestons également contre les incessantes attaques à main armée commises journellement par les Kurdes et les troupes régulières Turques, attaques contre le renouvellement desquels aucune garantie ne nous a été donnée jusqu'à

aujourd'hui malgré toutes les promesses faites depuis les affaires de Sassoun. Notre peuple a besoin de la paix et de la sécurité indispensables à une nation désireuse d'acquérir justement un bien être relatif, certes légitime, et de se mettre au niveau du progrès et de la civilisation vers lesquels marchent les autres peuples. || C'est au nom de ces légitimes aspirations que — || Nous réclamons de Sa Majesté Impériale le Sultan et de l'Europe des droits légaux nous garantissant d'une manière absolue la sécurité de nos corps et biens, la sauvegarde et le respect dus à notre honneur. || Nous réclamons la liberté de la conscience, de la presse, et des assemblées publiques; l'égalité absolue de tout devant la loi. || Nous réclamons que toute arrestation ait sa justification immédiate devant les Tribunaux; que le port d'armes nous soit autorisé. || Nous réclamons la diminution du nombre des divisions administratives dans les six provinces (vilayets) Arméniennes de Erzeroum, Bitlis, Van, Sivas, Mamouret-ul-Aziz, et Diarbékir. || Cette réduction devra être effectuée de manière à répartir en divisions ethnographiques homogènes les populations des dits vilayets. || Nous réclamons la création d'un poste de Gouverneur-Général de ces six vilayets, poste qui devra être confié dans tous les cas à un Européen, délégué par les Puissances d'accord avec la Porte. Ce fonctionnaire devra gouverneur le pays confié à sa gérance au nom de Sa Majesté Impériale le Sultan, avec le concours d'une Assemblée Locale, dont les membres seront élus par le suffrage universel, sans distinction ni de race, ni de religion, ni de position sociale. || Nous réclamons l'introduction de réformes spéciales correspondant au sens et à l'esprit général de la présente déclaration dans les parties des vilayets d'Adana et d'Aleppo, où les Arméniennes forment une partie importante de la population. || Nous réclamons des réformes dans l'organisation de la police et de la gendarmerie; des mesures suffisantes pour rendre impossible le retour d'événements pareils à celui de Sassoun. || Nous réclamons aussi que l'armée n'ait aucune ingérence dans le maintien de l'ordre publique. || Nous réclamons des réformes économiques correspondant aux besoins locaux telles que la diminution des impôts; la suppression de la corvée des travaux gratuits seigneuriaux (pour les Beys et Aghas); l'abolition du fermage de la dîme; la création d'un système unique d'impots uniforme pour tout le pays; la suppression des illégales contributions imposées par les Kurdes (Kiafirlick, etc.) des réformes spéciales propres à l'expropriation forcée des propriétaires Arméniens, et à la distribution de leurs terres aux Kurdes, ce qui a lieu surtout dans les districts montagneux; par contre, nous demandons que des parcelles de terrain soient concédées aux paysans qui n'en ont pas. || Nous réclamons que l'on interdise aux Kurdes nomades leurs pérégrinations périodiques, et que devenus sédentaires ils soient contraints d'obéir aux lois existantes, et de se soumettre aux impôts que paient tous les autres habitants du pays. On devra supprimer également l'organisation des Kurdes en tribus dépendant de Chefs de clans ("achirets"). Les troupes irrégulières de cavalerie (Hamidié) nouvellement créées devront être licenciées, et les Kurdes astreints

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au service militaire à l'instar de tous les autres sujets Ottomans. || Nous réclamons que les revenus du pays soient principalement, et en premier lieu, consacrés aux besoins locaux. || Nous réclamons enfin une amnistie générale sans aucune exception, pour tous les détenus exilés et émigrés politiques Arméniens. || Nous sommes fermement convaincus que la réalisation des desiderata formulés plus haut est indispensable tant pour la sécurité et le bien être général des Arméniens que pour ceux des différentes populations habitant notre pays et notre malheureux peuple ainsi que pour tout l'Empire Ottoman. || Depuis les horribles événements de Sassoun, une année s'est écoulée pendant laquelle nous avons attendu patiemment une solution prompte et efficace émanant des Puissances Signataires du Traité de Berlin. Cette attente est la meilleure preuve de nos intentions pacifiques. || Toutefois, l'hiver Arménien accompagné de toutes ses rigueurs et de ses difficultés s'approche de telle sorte qu'une action immédiate et énergique s'impose d'urgence. || C'est pourquoi nous nous sommes décidés à rappeler d'une façon décisive et demonstrative à Sa Majesté Impériale le Sultan et aux Puissances la nécessité absolue d'une solution favorable et imminente de la question Arménienne. || C'est pourquoi nous leur exposons d'une façon générale nos légitimes réclamations de réformes dont l'application peut seul assurer la paix et la sécurité à notre pays depuis si longtemps voué à la persécution inique et aux troubles les plus sanglants.

Beilage III.

Mitteilung an die Pforte, 2. Oktober 1895.

L'Ambassadeur d'Autriche-Hongrie et ses collègues ont reçu des nouvelles certaines, en partie par des témoins oculaires, des faits qui se sont passés à Stamboul hier et avant-hier, à savoir: — || 1. Que des particuliers ont frappé et assommé des prisonniers conduits par des agents de police sans que ces derniers s'y opposassent. || 2. Que des attaques des particuliers contre des gens absolument inoffensifs se sont produits. || 3. Qu'on a achevé de sang froid dans les cours de la police et des prisons des prisonniers blessés. || Les Ambassades redoutant que la continuation de pareils excès ne devienne un danger pour la sécurité publique et pour les intérêts qui leur sont confiés, croient devoir y attirer l'attention la plus sérieuse du Gouvernement Impérial et de lui recommander, puisqu'il n'appartient qu'à l'autorité de se charger de la répression des désordres, de ne pas permettre aux particuliers de prendre part à la répression des troubles ni de se livrer eux-mêmes à des excès et de prendre les mesures nécessaires pour le plus prompt rétablissement de l'ordre, en évitant une effusion de sang inutile.

Nr. 10983. TÜRKEI. — Verbalnote an den englischen, französischen und russischen Botschafter über die armenischen Reformen. Die sechs Punkte.

Nr. 10983. Türkei. 5. Okt. 1895.

Sublime Porte, le 5 Octobre, 1895.

En réponse au Mémorandum et au projet de réformes présentés par leurs Excellences MM. les Ambassadeurs d'Angleterre, de France, et de Russie, le Gouvernement Impérial tout en confirmant la note qui leur à été remise à la date du 17 Juin, ainsi que le Contre-Projet concernant les réformes à introduire dans les six vilayets de Sivas, Erzeroum, Van, Diarbékir, Bitlis, et Mamouret-el-Aziz, a l'honneur de leur transmettre ci-joint un travail sur l'ensemble des réformes qui vont être introduites dans les susdites provinces et sur les six points qui ont été ajoutés en dernier lieu. || Le Gouvernement Impérial déclare en même temps à leurs Excellences MM. les Ambassadeurs qu'ayant pris acte des assurances qu'ils lui ont données au nom de leurs Gouvernements et de celle des trois Cabinets de Londres, Paris, et Saint-Pétersbourg aux Ambassadeurs Ottomans comme quoi "ces Gouvernements ne pourraient jamais songer à faire des propositions pouvant porter atteinte aux droits souverains de Sa Majesté Impériale le Sultan et à l'indépendance de l'Empire", il va dès lors de soi que les six vilayets en question ne pourront acquérir dans l'avenir aucun caractère privilégié et qu'en cas où, par impossible, une idée pareille viendrait un jour à surgir, le Gouvernement Impérial profitera des assurances mentionnées ci-dessus.

Beilage.

Chapitre IV. — Nahiés.

12. Les Moudirs seront choisis et nommés par le Gouvernement Impérial. (Modifiziert durch den letzten der sechs Punkte.)

Chapitre VI. — Gendarmerie.

21. Les gendarmes seront recrutés parmi les habitants Musulmans et non Musulmans suivant les exigences locales et les officiers et sous-officiers de ce corps choisis dans les cadres de l'armée Impériale. (Modifiziert durch den fünften der sechs Punkte.) || La gendarmerie est entretenue et soldée aux frais des vilayets. La solde des gendarmes est supérieure à celle des soldats de l'armée Impériale et celle des officiers équivalente à la solde des officiers de l'armée Impériale. || Voici les six points ajoutés: — (s. Nr. 10973).

Nr. 10984. GROSSBRITANNIEN. — Der Botschafter in Konstantinopel an den Minister des Auswärtigen. Die Ruhe in Konstantinopel noch nicht wiederhergestellt.

Constantinople, October 5, 1895, 3.25 p.m. (Received October 5.)

Nr. 10984. Grossbritannien. 5. Okt. 1895.

Telegraphic. || Panic still reigns among the Armenian population; the churches are full of refugees, and arrests continue. I sent a Dragoman

Nr. 10984. Grossbritannien. 5. Okt. 1895.

yesterday to the Patriarch, but his Beatitude declares that he is unable to restrain his people, who are in a state of desperation. || Grave fears are entertained that the Armenian Committee is organizing some further demonstrations. Eighty bodies of Armenians which have been sent to the Armenian hospital showed by their condition that death was inflicted with frightful violence. Among the bodies was one of a pregnant woman who had been ripped open. || We receive constant accounts of inoffensive Armenians mostly servants and working men, who have disappeared, and the number of those who have been killed must be very great. || There was a meeting of Ambassadors this evening, when it was decided to send in a note to the Porte, pressing for the adoption of some measures to restore public order and security. || We are sending the six stationnaires to their winter quarters at Tophane, as it is thought that their presence there may give some confidence to the Christians. || I have addressed a letter to the Grand Vizier asking permission for Mr. Lister to visit the prisons, which are crowded to a fearful extent, and where the prisoners are said to be subjected to the most cruel treatment, and to have been kept almost without food and water.

Nr. 10985. GROSSMÄCHTE. — Kollektivnote an die Pforte wegen der Unruhen in Konstantinopel.

Le 6 Octobre, 1895.

Nr. 10985. Grossmächte. 6. Okt. 1895.

En présence des événements dont la ville de Constantinople a été le théâtre depuis cinq jours, les Représentants des Grandes Puissances ont dû se préoccuper des conséquences qui pourraient résulter de la durée de cet état de trouble. || Il existe au sein de la population Arménienne de la capitale une excitation et une inquiétude qui ne paraissent pas se calmer. Quelle que soit la cause à laquelle on puisse les attribuer il semble qu'au lieu de diminuer elles ne fassent qu'augmenter chaque jour. Aussi d'après le bruit public est-il à craindre qu'on n'assiste à de nouveaux incidents. || En outre l'inquiétude causée par les mesures prises contre les Arméniens qui n'étaient pas mêlés au mouvement, les arrestations en masse, les sévices dont plusieurs ont été l'objet, ont déterminé nombre d'entre eux à se réfugier dans les églises dont ils ne veulent pas sortir s'ils n'obtiennent des garanties sérieuses pour leur liberté et leur vie. Il est évident que la prolongation d'un pareil état de choses ne peut qu'augmenter l'agitation des esprits et constitue une cause permanente de conflits. || Un fait grave surtout est à noter: c'est qu'à la suite de la dispersion de la manifestation de Lundi dernier un grand nombre d'individus n'appartenant ni à la police ni à l'armée, des Softas, des Kurdes établis à Constantinople, de simples particuliers sans mandat, se sont armés, ont poursuivi les Arméniens et se sont livrés même contre des Chrétiens appartenant aux autres communautés à des agressions de tout genre. On signale de leur part de nombreuses attaques aux propriétés et des faits de pillage et

Nr. 10985. Grossmächte. 6. Okt. 1895.

de meurtre. L'autorité loin de mettre un terme à leurs excès a tout l'air de les avoir encouragés. Quelques Ambassades ont pu enregistrer des sévices subis par plusieurs de leurs nationaux; toutes ont eu connaissance des arrestations arbitraires et des actes de brutalité commis par des agents de police et des zaptiés. || Quel que repréhensible que puissent être les actes accomplis par les manifestants, de pareils excès ne sauraient être excusés. || En outre la police elle-même a gravement méconnu les devoirs d'équité et de modération qui s'imposent aux représentants de la force publique. Tous les témoignages concordent à démontrer qu'elle à pratiqué les arrestations sans mesure, sans contrôle, et sans aucune vérification de l'identité des personnes. Un grand nombre de passants inoffensifs ont été appréhendés et jetés en prison sous le simple prétexte qu'ils étaient ou paraissaient Arméniens. La police s'est livrée sur les détenus à des excès de tout genre. Partout ils ont été victimes des plus mauvais traitements, de coups et de blessures, et plus d'une fois les agents ont tué des prisonniers sans défense. || La Sublime Porte conviendra que tous ces faits sont de nature à causer la plus grande émotion parmi les colonies Européennes établies à Constantinople. || Ils autorisent à penser que si cette situation se prolongeait la sécurité publique serait gravement et irrémédiablement compromise et que l'agitation en s'étendant pourrait gagner les provinces de l'Empire. || Les Représentants des Puissances se voient dans l'obligation de demander à la Sublime Porte quelles mesures elle a prise pour calmer l'inquiétude et l'agitation qui se sont emparées des populations Musulmane et Arménienne, pour prévoir ainsi le retour des lamentables incidents de ces jours derniers et mettre les Chrétiens et les colonies étrangères à l'abri d'éventualités périlleuses. || Ils ont aussi le désir de prêter leur concours au Gouvernement Ottoman afin de rétablir de part et d'autre la tranquillité dans les esprits. Ils pensent que des enquêtes immédiates sur les événements dont Constantinople vient d'être le théâtre, sur l'état des prisons, sur la conduite des agents de police et des gendarmes, et que la mise en liberté des nombreux prisonniers contre lesquels ne s'élève aucune charge sérieuse seraient les meilleurs moyens de calmer l'agitation actuelle. || Ils sont prêts à assister et à seconder le Gouvernement Impérial dans ses enquêtes et à lui transmettre toutes les informations qu'ils ont pu recueillir. Ils ne doutent pas que la Sublime Porte ne prenne enfin les mesures nécessaires pour mettre un terme à un état de choses dont la conscience Européenne ne manquerait pas de s'indigner s'il devenait évident que l'inaction de l'autorité encourage de regrettables passions. || Les Représentants des Puissances estiment qu'il est urgent d'arriver aux moyens d'assurer à la population Chrétienne de la capitale une sécurité que les faits cités plus haut et tant d'autres ont si gravement compromise depuis quelques jours. Ils ont la ferme confiance que le Gouvernement Impérial soucieux de démontrer que son esprit de justice et son autorité peuvent exercer une action efficace dans des circonstances aussi graves les mettra promptement en mesure de rassurer leurs Gouvernements respectifs

Nr. 10985. Gross-mächte. 6. Okt. 1895.

au sujet d'événements qui préoccupent à juste titre l'opinion publique et qui ne manqueront pas de soulever en Europe la plus vive émotion.

Nr. 10986. GROSSBRITANNIEN. — Der Botschafter in Petersburg an den Minister des Auswärtigen. Antwort der Pforte auf die Note der Botschafter vom 6. Okt.

Constantinople, October 9, 1895, 10.15 a. m. (Received October 9.)

Nr. 10986. Gross-britannien. 9. Okt. 1895.

Telegraphic. || In reply to the joint note presented by the Embassies on the 6th instant, as reported in my telegram of that day's date, the Sublime Porte has addressed a note to us stating the measures that have been adopted to prevent any fresh disturbances and to assure the security of the Christians and foreign colonies. || These measures are as follows: — || Patrols of soldiers and police circulate night and day in the streets for the maintenance of order. || Warnings have been issued and the public has been recommended, through the medium of the newspapers, to keep the peace. The Sheikh-ul-Islam has exhorted the Softas in the same sense.

Nr. 10987. GROSSBRITANNIEN. — Der Botschafter in Wien an den Minister des Auswärtigen. Die österreichische Regierung wünscht energischen Schutz der Christen in der Türkei.

Vienna, October 9, 1895. (Received October 9.)

Nr. 10987. Gross-britannien. 9. Okt. 1895.

Telegraphic. || I have the honour to inform your Lordship that the reports of the circumstances at Trebizond, taken in conjunction with the grave situation of affairs at Constantinople, have caused Count Goluchowski the greatest anxiety. || His Excellency is of opinion that the Ambassadors of the Powers represented at Constantinople should jointly bring the strongest pressure to bear upon the Porte with a view to protecting all Christians, and should hold the Turkish Government responsible for whatever happens. He has telegraphed in this sense to the Austrian Representatives at the capitals of all the Great Powers, and has inquired what are the views held on the situation. || Count Goluchowski desired me to give your Lordship to understand that he considers instant action to be necessary, as it is impossible to exaggerate the gravity of the whole question.

Nr. 10988. GROSSBRITANNIEN. — Der Minister des Auswärtigen an den Botschafter in Petersburg*). Die Botschafter in Konstantinopel sollen vorläufig auf der Annahme der Prinzipien bestehen.

Foreign Office, October 10, 1895.

Nr. 10988. Gross-britannien. 10. Okt. 1895.

Sir, || The Russian Ambassador called at the Foreign Office to-day and communicated a telegram from his Government relative to the proposal made

*) Substance telegraphed.

by the British, French, and Russian Ambassadors to address a fresh note to the Porte demanding certain further concessions in regard to the reforms to be introduced in the Armenian provinces. || The Russian Government suggest that it might be more prudent, in view of the disturbed state of things at Constantinople, that the three Ambassadors should only call upon the Porte to adhere in principle to their proposals, leaving the details to be discussed when the excitement had calmed down. || I have informed M. de Staal that I consider it very desirable to leave it, as far as possible, to the discretion of the Ambassadors to decide as to the course of procedure, since, being on the spot, they are the best judges of what the situation renders desirable. The greater the latitude given to them the better will be the chance of bringing the matter to a successful termination. Salisbury.

Nr. 10988. Grossbritannien. 10. Okt. 1895.

Nr. 10989. **GROSSBRITANNIEN.** — Der Botschafter in Konstantinopel an den Minister des Auswärtigen. Uebersendet den Beschluss der Botschafter über die Massregeln zum Schutz der Armenier.

Therapia, October 10, 1895. (Received October 14.)

My Lord. || I Have the honour to inform your Lordship that the Russian and French Governments having authorized their respective Ambassadors to concert with me the points in the "Projet de Réformes" of the 1 1th May which we consider necessary for the protection of the life and property of the Armenians, we held a meeting on the 7th instant, and I have the honour to transmit to your Lordship herewith a copy of the provisions which we agreed to recommend to our Governments as necessary. Philip Currie.

Nr. 10989. Grossbritannien. 10. Okt. 1895.

Beilage.

Provisions recommended to the Governments of Great Britain, France, and Russia, as necessary for the Protection of the Life and Property of the Armenians.

The reforms will be formulated in a General Act which will be drawn up in agreement with the Powers, and inserted in the Imperial Decree promulgating them. || 2. A Christian Assistant to Shakir Pasha, whose name should be unofficially submitted to the Powers. || 3. The participation of Christians in the administration to be specified, and the posts of Vali and Mutessarif to be open to Christians. || 4. The Dragomans to have the right of addressing to the Commission of Control any complaint, communication, or information which the Embassies may think desirable, but to be debarred from asking for any reforms beyond those granted in the Decree. || The Commission of Control to fix the number of Christian functionaries in proportion to the population for each vilayet. || 5. Christian Assistants to be attached to Mahommedan Valis and Mutessarifs. || 6. The right of the Ambassadors to

Nr. 10989. Gross-britannien. 10. Okt. 1895.

remonstrate against the appointment of incapable, dishonest, or fanatical Valis to be reserved in the note to the Porte. || 7. The number of rural guards to be fixed by the Vali on the recommendation of the Mudir and in conformity with local requirements. || 8. A note to be addressed by the Ambassadors to the Porte taking act of the promises made respecting prisons, arbitrary arrests, amnesty, reinstatement of emigrants, regulations for the Hamidié cavalry, and insisting upon their complete and immediate execution. || 9. A stipulation that the principles of the reform scheme will be applied to all the sandjaks and cazas of Asia Minor where the Christians form a notable part of the population.

Nr. 10990. TÜRKEI. — Der Minister des Auswärtigen an den englischen Botschafter in Konstantinopel. Uebersendet die Ordre an die Valis in Armenien über die Ausführung der Reformen.

Le 20 Octobre, 1895.

Nr. 10990. Türkei. 20. Okt. 1895.

Sa Majesté Impériale le Sultan ayant bien voulu dans sa haute sollicitude pour le bienêtre de ses sujets sans distinction de race ni de religion, sanctionner spontanément le plan des réformes à introduire dans l'administration des vilayets d'Erzeroum, Sivas, Van, Diarbékir, Bitlis, et Mamouret-el-Aziz, le Ministre des Affaires Étrangères a l'honneur d'en transmettre ci-joint une copie à son Excellence M. l'Ambassadeur de Sa Majesté Britannique avec le texte du Décret y relatif.

Beilage 1.

Ordre des Grossveziers an die Valis von Erzerum, Van, Bitlis, Diarbekir, Maamouret-ul-Aziz, Sivas und den Inspector Shakir Pasha.

30 Rebi-ul-Akhir, 1313 (October 8 (20), 1311 (1895).

Translation. || In accordance with the glorious provisions of the Khatt-i-Humayoun of Gulkhané, promulgated on the 26th Shaaban, 1255, by His late Imperial Majesty Abdul-Mejid Khan, the illustrious father of the Sovereign, as well as the terms of the Firman of Reforms issued in the beginning of Jemazir-el-Akhiri 1272, and in pursuance of the laws actually laid down and in force, as all men know, the selection and appointment of the officials and employés of the Imperial Government is effected by virtue of an Imperial Iradé and in due compliance with the special regulations on the point, and all classes of Ottoman subjects, to whatsoever nationality they may belong, are to be admitted to the service of the State. || Accordingly, it has been decided that these shall be employed according to their merits and capacity, in accordance with regulations which shall be observed in respect to all classes alike, and also that all Ottoman subjects who comply in point of age and attainments with the existing regulations of the State schools shall be

received into such schools without any distinction being made. || Moreover, just as from time to time a number of measures and regulations have been introduced of a nature to bring about the necessary reforms in proportion as these are requisite and possible in every part of the Ottoman dominions, and to improve the wellbeing of the subjects, and increase the prosperity of the country, so, since the auspicious accession of His Imperial Majesty, his thoughts have been directed towards the complete realization of these benevolent designs. || It is therefore intended by the Imperial Government to carry out gradually useful reforms throughout His Majesty's dominions corresponding with local requirements and the nature of the inhabitants, and accordingly it has been decided to effect reforms in the Asiatic Vilayets of Erzeroum, Van, Bitlis, Diarbekir, Mamouret-el-Aziz, and Sivas, to comprise the application of the laws and regulations contained in the Destour, as well as the provisions of the aforesaid Khatt-i-Humayoun of Gulkhané, and the Firman of Reforms. || This decision, being submitted by a special Council of Ministers to the Sultan, has been sanctioned by His Majesty in an Imperial Iradé, and certified copies, obtained from the Imperial Divan, of the schedule containing the points of reform decided upon having been transmitted to each of the six vilayets mentioned, a copy is inclosed to your Excellency herewith.

Besides this, four other Articles, included in the decision, and sanctioned in the Imperial Iradé, are subjoined as follows: — || 1. An official in every respect worthy of regard shall be appointed by the Imperial Government, with the title of General Inspector, to attend to the carrying out of the reforms, and superintend their application, and shall proceed to his post. In the event of the absence of the Inspector, or of any impediment, another high Mussulman official will be temporarily appointed by His Majesty to replace him. The Inspector will be accompanied during the execution of his duties by a non-Mussulman Assistant. || 2. As the Armenians accused or convicted of being implicated in political events were granted the Imperial pardon on the 11th (23rd) July, 1311 (1895), this measure will be applied to all Armenians who shall not be proved to be directly concerned in any offence at common law, and who, having been imprisoned before that date, still remain in confinement. || 3. Armenians exiled from the country, or who have fled for refuge to foreign countries, shall, upon proving their Ottoman nationality and their good behaviour, be allowed to return freely to the Ottoman dominions. || 4. In cazas such as Zeitoun and Hadjin measures similar to the aforesaid rules shall be applied.

It is unnecessary to explain or repeat that the most ardent desire of His Imperial Majesty the Sultan, the bounteous benefactor, is the increase of the prosperity of the Ottoman dominions, and in general of all his subjects, and the insuring of their comfort and happiness, and these Articles and enactments will still further assure the realization of this arm. || His Excellency Shakir Pasha, one of His Imperial Majesty's Aides-de-camp, who has been

Nr. 10990. Türkei. 20. Okt. 1895.

appointed to the important post of General Inspector, has been named in accordance with an Imperial order to the six vilayets aforesaid; and the appointments of the Assistant who is to accompany him, as well as the Commission of Inspection to be named in accordance with the schedule already mentioned, are in course of progress, and I have to desire you to proceed to carry out the matters decided upon with extraordinary zeal, attention, and care in your district, and to report in due course upon the results thus attained.

Beilage 2.

Reformplan.

Chapitre I. — Vilayets et Mutessarifats.

Article 1. Auprès de chaque vilayet (Gouvernement-Général) sera nommé un Mouavin non-Musulman conformément aux dispositions du Chapitre II du Règlement sur l'Administration Générale des Vilayets du 29 Chewal, 1286.*) Il sera chargé conformément à ce Règlement de coopérer aux affaires générales du vilayet et d'en préparer l'expédition. || Art. 2. Seront également nommés des Mouavins non-Musulmans auprès des Mutessarifs et des Caïmacams Musulmans dans les sandjaks et les cazas où cette mesure sera justifiée par l'importance de la population Chrétienne.

Chapitre II. — Caïmacams.

Art. 3. Les Caïmacams seront choisis sans distinction de religion par le Ministère de l'Intérieur parmi les diplômés de l'École Civile et nommés par Iradé Impérial. || Art. 4. Seront maintenus dans l'Administration ceux qui, étant actuellement en fonctions, seront reconnus capables bien que non-diplômés. || Dans le cas où il n'y aurait pas en ce moment un nombre de non-Musulmans diplômés de l'École Mulkié suffisant pour permettre de faire les nominations reconnues nécessaires, ces postes seront occupés par des personnes au service du Gouvernement qui, quoique non-diplômées, seront reconnues aptes à remplir les fonctions de Caïmacam.

Chapitre III. — Proportion des Chrétiens dans les Fonctions Publiques.

Art. 5. Les fonctions administratives seront confiées aux sujets Musulmans et non-Musulmans proportionnellement aux chiffres des populations Musulmanes et non-Musulmanes de chaque vilayet. || Le Nombre des fonctionnaires non-Musulmans de l'Administration de la Police et de la Gendarmerie sera fixé par la Commission Permanente de Contrôle.

Chapitre IV. — Conseils des Sandjaks et Cazas.

Art. 6. Les Conseils Administratifs des sandjaks et des cazas composés de membres élus et de membres de droit sont maintenus et fonctionneront conformément à l'Article 61 du Règlement sur l'Administratiou Générale des

*) Vgl. Aristarchi, legislation Ottomane.

Vilayets de 1286, et aux Articles 77 et 78 de la Loi des Vilayets de 1867, d'après lesquels ils ont été constitués. || Leurs attributions sont fixées par les Articles 90, 91, et 92 du Règlement sur l'Administration Générale des Vilayets, et par les Articles 38, 39, et 40 des Instructions relatives à l'Administration Générale des Vilayets du 25 Mouharrem, 1293.

Chapitre V. — Nahiés.

Art. 7. Les nahiés seront organisés conformément aux prescriptions des Articles 94 à 106 du Règlement sur l'Administration Générale des Vilayets de 1286, et des Articles 1 à 19 du Règlement sur l'Administration des Communes du 25 Mars, 1292. || Art. 8. Chaque nahié sera administré par un Moudir et un Conseil composé de quatre membres élus parmi les habitants. || Le Conseil choisira parmi ses membres un Moudir et un Adjoint. Le Moudir devra appartenir à la classe qui forme la majorité des habitants et l'Adjoint à l'autre classe. Le Conseil aura, en outre, un Secrétaire. || Art. 9. Si les habitants d'un nahié sont d'une même classe les membres du Conseil seront élus exclusivement parmi les habitants appartenant à cette même classe; si la population du Cercle Communal est mixte la minorité devra être représentée proportionnellement à son importance relative à condition qu'elle comprenne au moins vingt-cinq maisons. || Art. 10. Les Moudirs et les Secrétaires des nahiés sont rétribués. || Art. 11. Les candidats aux Conseils des Nahiés devront remplir les conditions prévues par l'Article 10 du Règlement sur l'Administration des Communes. || Art. 12. Les Imams, les prêtres, les professeurs d'écoles, et tous ceux qui se trouvent au service du Gouvernement ne pourront être élus Moudirs. || Art. 13. Le Conseil sera renouvelé par moitié chaque année. Ses membres ainsi que le Moudir seront rééligibles. || Art. 14. Les attributions du Moudir et des Conseils des Nahiés sont réglées par les Articles 20 à 27 du Règlement sur l'Administration des Communes.

Villages des Nahiés.

Art. 15. Chaque village du nahié aura un Moukhtar. S'il y a plusieurs quartiers et plusieurs classes d'habitants il y aura un Moukhtar par quartier et par classe. || Art. 16. Aucun village ne pourra relever de deux nahiés à la fois.

Chapitre VI. — Justice.

Art. 17. Il y aura dans chaque localité un Conseil des Anciens présidé par le Moukhtar et dont la mission sera de concilier à l'amiable les contestations entre les habitants, contestations prévues par les lois judiciaires. || Art. 18. Les fonctions de Juges de Paix sont exercées dans les villages par les Conseils des Anciens et dans les communes par les Conseils Communaux. Leurs attributions et le degré de leur compétence sont déterminés par la loi. || Art. 19. Des Inspecteurs Judiciaires dont le nombre ne sera pas moindre de six et qui seront par moitié Musulmans et non-Musulmans, seront chargés dans chaque vilayet d'accélérer le jugement de tous les procès en cours et

de surveiller l'état des prisons conformément au Règlement de . . . . .§ Les inspections devront être faites en même temps par deux Inspecteurs, dont l'un Musulman et l'autre non-Musulman.

Chapitre VII. — Police.

Art. 20. Les agents de la police seront recrutés parmi les sujets Musulmans et non-Musulmans de l'Empire proportionnellement aux chiffres des populations Musulmane et non-Musulmane du vilayet. || Art. 21. Des contingents suffisants seront affectés à chaque subdivision administrative, y compris le nahié. || Les agents de police du nahié sont placés sous les ordres du Moudir et commandés par des Commissaires. || Leurs armes et leurs uniformes seront identiques aux modèles déjà adoptés.

Chapitre VIII. — Gendarmerie.

Art. 22. Les officiers, sous-officiers, et soldats de la gendarmerie seront recrutés parmi les habitants Musulmans et non-Musulmans de l'Empire, proportionnellement aux chiffres des populations Musulmane et non-Musulmane de chaque vilayet. || La gendarmerie sera soldée et entretenue aux frais de la caisse du vilayet. || La solde des gendarmes est supérieure à celle des soldats de l'armée Impériale, et celle des officiers équivalente à la solde des officiers de l'armée Impériale. || Art. 23. La gendarmerie est chargée du maintien de l'ordre et de l'escorte de la poste.

Chapitre IX. — Gardes-Champêtres.

Art. 24. Le Conseil du Nahié choisira des gardes-champêtres dans les différentes classes de la population. || Leur nombre sera fixé par la Commission Permanente de Contrôle, conformément aux besoins de chaque nahié, sur le rapport du Moudir et la proposition du Vali. || Leur uniforme et leur armement seront arrêtés par le Département de la Guerre.

Chapitrê X. — Prisons et Comité d'Enquête Préliminaire.

Art. 25. Les Règlements existants sur la tenue des prisons et des maisons d'arrêt seront strictement exécutés. || Art. 26. Le Comité d'Enquête Préliminaire prévu par les Articles 11 et 12 des Instructions relatives à l'Administration Générale des Vilayets est appelé à fonctionner de la façon la plus règulière.

Chapitre XI. — Contrôle des Kurdes.

Art. 27. Les localités de migration des Kurdes seront fixées d'avance de façon à éviter tout dommage aux habitants de la part des Achirets. Un officier ayant sous ses ordres une force armée suffisante et des gendarmes accompagnera chaque tribu dans sa migration. Un Commissaire de Police lui sera adjoint. || Les Kurdes remettront à l'autorité des ôtages pendant leurs migrations. || Les Règlements sur les feuilles de route et le port d'armes seront appliqués aux Kurdes. || Les tribus nomades et errantes seront engagées à se fixer sur des terres qui leur seront concédées par le Gouvernement.

Chapitre XII. — Cavalerie Hamidié.

Art. 28. Le port d'armes et d'uniformes par les cavaliers Hamidiés en dehors des périodes d'instruction est prohibé. || En dehors de ces périodes, les cavaliers Hamidiés sont justiciables des Tribunaux ordinaires. || Un Règlement Militaire qui déterminera tous les détails de leur service sera élaboré sans retard.

Chapitre XIII. — Titres de Propriété.

Art. 29. Il sera institué au chef-lieu du vilayet et des sandjaks des Commissions pour la revision des titres de propriété. || Ces Commissions seront composées de quatre membres (deux Musulmans et deux non-Musulmans), et présidées par le Directeur des Archives ou le préposé aux Immeubles. || Leurs décisions seront soumises aux Conseils d'Administration. || En outre, quatre Délégués seront envoyés chaque année de Constantinople dans les vilayets pour examiner les irrégularités qui auraient pu surgir dans les affaires de propriétés.

Chapitre XIV. — Perception des Impôts.

Art. 30. Pour éviter l'emploi de la force publique, des agents spéciaux, qui ne pourront faire aucune réquisition de fourrages ni de vivres, et qui n'auront aucun maniement de fonds, remettront aux Moukhtars et aux Receveurs des villages et quartiers élus par les habitants, les feuilles sur lesquelles sont inscrits les impôts dus par chaque habitant. || Les Moukhtars et Receveurs susnommés seront seuls chargés de la perception des impôts et de leur consignation aux caisses de l'État.

Chapitre XV. — Dîmes.

Art. 31. La perception de la dîme se fera par voie d'affermage. L'affermage en gros demeure aboli et est remplacé par la mise en adjudication par villages et au nom des habitants. || En cas de difficulté, ceux-ci pourront recourir aux Tribunaux. Dans le cas où personne ne se présenterait pour l'affermage des dîmes de certains villages, ou bien si le prix offert était inférieur à la valeur réelle des dîmes à adjuger, ces dîmes seront administrées en régie, conformément au Règlement sur la matière. || La corvée étant abolie la prestation en nature et en argent est maintenue pour les travaux d'utilité publique. || Le budget de l'Instruction Publique dans chaque vilayet est fixé par le Ministère de l'Instruction Publique. || La vente pour cause de dettes fiscales ou personnelles de la demeure du contribuable, des terrains nécessaires à sa subsistance, de ses instruments de travail, de ses bêtes de labour, et de ses grains demeure interdite.

Chapitre XVI. — Commission Permanente de Contrôle.

Art. 32. Il sera institué à la Sublime Porte une Commission Permanente de Contrôle composée par moitié de membres Musulmans et non-Musulmans, et chargée de surveiller l'exacte application des réformes. || Les Ambassades feront parvenir à cette Commission, par l'intermédiaire de leurs Drogmans,

Nr. 10990. Türkei. 20. Okt. 1895.

les avis, communications, et renseignements qu'elles jugeront nécessaires, dans les limites de l'application des réformes et des mesures prescrites par le présent Acte. || Lorsque la Sublime Porte et les Ambassades seront d'accord pour considérer la Commission comme ayant accompli son mandat, elle sera dissoute.

Paragraphes figurant dans le Décret.

Paragraphe 1. — Haut Commissaire de Surveillance pour l'Application des Réformes.

Traduction. || Un fonctionnaire digne de considération à tous égards sera nommé et envoyé sur les lieux à titre de Haut Commissaire (Mufettich) par le Gouvernement Impérial avec mission spéciale de surveiller l'exécution des réformes et de présider à leur application. || Én cas d'absence ou d'empêchement ce Haut Commissaire sera remplacé provisoirement par un autre haut fonctionnaire Musulman désigné par Sa Majesté Impériale. || Le Haut Commissaire Impérial sera accompagné dans sa mission par un Adjoint (Moavin) non-Musulman.

Paragraphe 2. — Amnistie.

Sa Majesté Impériale le Sultan, ayant accordé, le 23 Juillet, 1895, une amnistie aux Arméniens accusés ou condamnés pour des faits politiques, cette mesure sera appliquée à tous ceux qui auraient été incarcérés avant cette date, et qui seraient encore détenus, et qui ne seraient pas convaincus de participation directe à des crimes de droit commun.

Paragraphe 3. — Rentrée des Émigrés.

Les Arméniens qui auraient été expulsés ou éloignés de leur pays ou qui auraient émigré en pays étranger, pourront rentrer librement en Turquie, après que leur nationalité Ottomane et leur bonne conduite auront été démontrées.

Paragraphe 4. — Situation des Non-Musulmans dans les autres Vilayets de l'Anatolie.

Des mesures conformes aux principes ci-dessus seront appliquées dans les cazas tels que Zéitoun et Hadjin.

Nr. 10991. GROSSBRITANNIEN. — Der Botschafter in Konstantinopel an den Minister des Auswärtigen. Massacres in Trapezunt und Zeitun.

Constantinople, October 22, 1895, 7.20 p. m. (Received October 22.)

Nr. 10991. Gross-britannien. 22. Okt. 1895.

Telegraphic. || We have information that at Trebizond and Akhissar the Turks were encouraged by the military and police to massacre the Armenians, on the ground that the latter intended to attack the Mussulmans. || To-day the Grand Vizier informed Mr. Marinitch that the Armenians at Andrin and Zeitoun, in the Vileyet of Aleppo, had attacked the Turks; that some of them

were mounted and carried army rifles. He promised to communicate further details to-morrow. || The Armenians of Zeitoun and the neighbouring villages, like the Sasunlis, are mountaineers, and more formidable than most of their race, and I fear that the statements telegraphed to the Grand Vizier may be preliminary to a massacre. || Could the Admiral be authorized to send some ships to Alexandretta or one of the neighbouring ports in the event of matters getting worse? *) || I intend to warn the Grand Vizier to-morrow of the serious consequences of allowing further slaughter, but I think it would be advisable that the Powers should act in concert to prevent such a calamity.

Nr. 10991. Grossbritannien. 22. Okt. 1895.

Nr. 10992. GROSSMÄCHTE. — Gemeinsame Note an den armenischen Patriarchen.

Constantinople, 22. October 1895.

En réponse aux instances du Patriarche les Ambassadeurs s'inspirant de sentiments d'humanité et désireux de contribuer au rétablissement de la paix publique, sont intervenus pour faire évacuer les églises. Cette intervention a eu pour effet de rétablir la tranquillité dans les esprits. Mais il résulte de nouvelles informations que l'effervescence renaîtrait et serait entretenue par des agitateurs qui déterminent à l'aide de leurs menaces la fermeture des magasins, l'interruption des relations commerciales et qui fomentent de nouvelles manifestations. | Les Ambassadeurs signalent ces manoeuvres à sa Béatitude et la prient d'user de toute son influence pour combattre une agitation qui peut avoir des conséquences funestes et compromettre le succès de l'intervention des Puissances.

Nr. 10992. Grossmächte. 22. Okt. 1895.

Nr. 10993. GROSSBRITANNIEN. FRANKREICH. RUSSLAND. — Kollektivnote an die Pforte über die Reformpläne in Nr. 10990.

Le 24 Octobre 1895.

Les Soussignés, Abassadeurs de Russie, de France, et de Grand-Bretagne ont reçu la note verbale que la Sublime Porte leur a adressé le 20 de ce mois, et ont l'honneur d'en accuser réception à son Excellence M. le Ministre des Affaires Étrangères. || Ils ont pris connaissance du texte du Décret relatif aux réformes dont Sa Majesté Impériale le Sultan vient de décider l'application ainsi que du plan qui en contient l'exposé, et c'est avec satisfaction qu'ils constatent que le Gouvernement Impérial a résolu de mettre en pratique les Règles solennellement formulées dans les Hatts précédents des Souverains Ottomans, et les mesures découlant des principes exposés par la Sublime Porte dans ses communications de 2 Juin, 17 Juin, 5 Août, 17 Août, et 5 Octobre de la présente année. || En prenant acte de ces dispositions et de l'intention de la Sublime Porte de les étendre outre les vilayets mentionnés dans le Décret

Nr. 10993. Grossbritannien. Frankreich. Russland. 24. Okt. 1895.

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*) Der kommandierende Admiral im Mittelmeer erhielt eine solche Ordre am 25. Okt.

Nr. 10993. Grossbritannien. Frankreich. Russland. 24. Okt. 1895.

à tous les cazas d'Anatolie où les Arméniens forment une partie notable de la population, les Ambassadeurs de France, de Grande-Bretagne, et de Russie, ne doutent pas que les fonctionnaires chargés d'exécuter et d'appliquer les réformes n'assurent par leur intelligence, leur zèle, et leur désintéressement, à tous les sujets Ottomans sans distinction, les bienfaits d'une Administration soucieuse du bien-être général en de la prospérité de l'Empire. || Les garanties dont le Gouvernement Impérial déclare dans ses communications susmentionnées vouloir entourer le choix et la nomination des fonctionnaires de tous ordres, témoignent de l'importance que la Sublime Porte attache à ce que ses Agents dans les provinces remplissent leur mission à la satisfaction de toutes les communautés et à ce que les Valis, notamment, donnent à l'administration de chaque vilayet une impulsion conforme aux vues que vient d'affirmer à nouveau Sa Majesté Impériale. || C'est dans cette confiance que les Ambassadeurs de France de Grand-Bretagne, et de Russie croient pouvoir le mieux servir les intentions manifestées par la Sublime Porte en se réservant de lui signaler lors de leur désignation les personnes dont les antécédents et le caractère ne sembleraient pas répondre aux conditions indiquées comme nécessaires par le Gouvernement Ottoman lui-même. || C'est aussi dans cette confiance qu'ils seront heureux de prêter, à l'occasion, tout leur concours au Gouvernement de Sa Majesté Impériale pour la réalisation des réformes qu'elle vient de décréter. || Les Soussignés prient son Excellence M. le Ministre des Affaires Étrangères de vouloir bien leur accuser réception de la présente communication, et saisissent, etc.

Nélidow.
P. Cambon.
Philip Currie.

Nr. 10994. GROSSBRITANNIEN. — Der Minister des Auswärtigen an die Botschaften in Paris, Petersburg, Berlin, Rom, Wien. Die Grossmächte sollen die Pforte zur Abstellung der Missbräuche zwingen.

Foreign Office, October 23, 1895.

Nr. 10994. Grossbritannien. 23. Okt. 1895.

Telegraphic. || With reference to my preceding telegram, repeating Sir P. Currie's telegram of yesterday, I request you to communicate to the Government to which you are accredited what is stated by his Excellency as to the condition of affairs in the Vilayet of Aleppo, and to express the hope of Her Majesty's Government that the Ambassadors of the other Powers will be instructed to join his Excellency in impressing upon the Porte the necessity of issuing the most stringent orders to the provincial authorities, with a view to prevent the repetition at Zeitoun or elsewhere of the shocking occurrences which have led to the recent troubles.

Nr. 10995. GROSSBRITANNIEN. — Der Botschafter in Paris an den Minister des Auswärtigen. Ansicht der französischen Regierung.

Paris, October 24, 1895. (Received October 24.

Nr. 10995. Grossbritannien. 24. Okt. 1895.

Telegraphic. || I communicated the substance of your Lordship's telegram of the 23rd instant to M. Hanotaux, who informed me that intelligence as to the events reported in Sir P. Currie's telegram had not yet reached him. His Excellency added that the French Ambassador in Constantinople would receive instructions to continue to act with Her Majesty's Ambassador with the view of averting the dangers apprehended by your Lordship. (Am 26. Oktober gab Italien eine entsprechende Zusage.)

Nr. 10996. GROSSBRITANNIEN. — Der Botschafter in Berlin an den Minister des Auswärtigen. Unterredung mit Freiherrn v. Marschall.

Berlin, October 26, 1895. (Received October 28.)

Nr. 10996. Grossbritannien. 26. Okt. 1895.

My Lord, || On the receipt of the instructions contained in your Lordship's telegram of the 23rd instant, I called on Baron von Marschall, and informed his Excellency of the serious state of affairs in the Vilayet of Aleppo. || Baron von Marschall said that he had not received any information from the German Ambassador as to the state of affairs in that special district, but that, some ten days ago, his Excellency had reported that he considered the situation throughout the whole Ottoman Empire as grave, the more so as the agitation was no longer confined to the Christian population, but seemed to be spreading among the Mussulman subjects of the Sultan. || Baron von Marschall promised to telegraph at once to his Excellency instructing him to report immediately on the matter, and, if the news were confirmed, to act in concert with the other Ambassadors in order to prevent, as far as possible, any repetition of the massacres. Martin Gosselin.

Nr. 10997. GROSSBRITANNIEN. — Der Botschafter in Wien an den Minister des Auswärtigen. Goluchowskis Anschauung.

Vienna, October 26, 1895. (Received October 28.)

Nr. 10997. Grossbritannien. 28. Okt. 1895.

My Lord, || Not having seen Count Goluchowski for ten days in consequence of his absence in Hungary, I called upon him yesterday, and spoke to him upon the instructions telegraphed to me by your Lordship on the 23rd instant in regard to the common action of the Ambassadors of the Great Powers at Constantinople in warning the Porte not to allow the renewal of massacres. || His Excellency said that, in consequence of a communication which I made to Count Welsersheimb on the subject, the desired orders had been at once telegraphed to Baron Calice. || Count Goluchowski proceeded to say that, although the concessions obtained by England, France, and Russia are

Nr. 10997. Grossbritannien. 28. Okt. 1895. well enough in their way, they can only serve to dissipate for the moment the most pressing of the dangers, to the existence of which it is impossible for the Powers to close their eyes. || It is essential that the Sultan and his Government should take steps for the amelioration of the condition of Macedonia, otherwise troubles are certainly to be expected in that province in the spring, and the contingency of their occurrence cannot but be viewed by the Austro-Hungarian Government with the greatest apprehension.

Edmund Monson.

Nr. 10998. GROSSBRITANNIEN. — Die Botschaft in Konstantinopel an den Minister des Auswärtigen. Umtriebe des armenischen Revolutionskomitees.

Constantinople, October 28, 1895, 7.50 p.m. (Received October 28,)

Nr. 10998. Grossbritannien. 28. Okt. 1895. Telegraphic. || In reply to Sir P. Currie's instructions, the Acting British Consul at Erzeroum telegraphs that the Armenian Revolutionary Committees have recently sent agents to these parts from Russia and from Constantinople viâ Trebizond, with the undoubted object of provoking disturbances wherever possible, but that the community in general disapprove of this. || Mr. Cumberbatch considers that the disturbances which have occurred at Erzinjan and Trebizond support this view. || News had also reached Erzeroum of troubles at Bitlis which had been similarly provoked. || At Baiburt also some Armenians fired yesterday from their houses on peaceable Turks. Both there and at Bitlis there had been serious fighting in consequence, but Mr. Cumberbatch had received no details. || If necessary the Reserves were to be called out, but so far this had not been done anywhere except at Erzinjan.

Nr. 10999. GROSSBRITANNIEN. — Der Minister des Auswärtigen an die Botschaft in Konstantinopel. Energische Vorstellungen an die Pforte wegen der Unruhen in Musch.

Foreign Office, October 29, 1895, 11 p.m.

Nr. 10999. Grossbritannien. 29. Okt. 1895. Telegraphic. || I have received your telegram of to-day, repeating telegrams from Mr. Hampson, in which he refers to the recent massacre at Bitlis, and reports on the present condition of affairs at Mush and Sasun. || The representations which you propose to make to the Turkish Government cannot be too strong respecting the impression which will be produced in this country if these massacres continue, or if the Turks persist in the attempt to stop the relief of the distressed Armenians, and to intimidate the missionaries into leaving the district. || The latter, I think, should consult their safety by withdrawing till the excitement has abated.

Nr. 11000. GROSSBRITANNIEN. — Die Botschaft in Konstantinopel an den Minister des Auswärtigen. Die Pforte verlangt Abberufung der Missionare.

Constantinople, October 30, 1895, 10.10 a.M. (Received October 30.)

Nr. 11000. Gross-britannien. 30. Okt. 1895.

Telegraphic. || A letter from the Minister of the Interior to the Minister for Foreign Affairs, requesting that the missionaries should be recalled from Sasun on the ground that the Bitlis authorities regarded their distribution of relief as giving rise to serious objections, was yesterday communicated by the Porte to the Acting First Dragoman. || Mr. Marinitch expressed his regret that the Bitlis authorities should so misunderstand the charitable intentions of the missionaries, and deprecated the receipt of such a communicasion. || I do not propose to take any notice of this communication of the Sublime Porte.

Nr. 11001. GROSSBRITANNIEN. — Dieselbe an Denselben. Die Pforte will das Reformprojekt dem armenischen Patriarchen nicht mitteilen.

Constantinople. October 30, 1895, midnight. (Received October 30.)

Nr. 11001. Gross-britannien. 30. Okt. 1895.

Telegraphic. || In view of the action of the Porte in persisting, in spite of our representations, in their refusal to communicate the plan of reforms to the Armenian Patriarch, I, to-day, having previously informed the Russian and French Ambassadors of my intention, handed to his Beatitude printed copies of the reforms, and of the correspondence accompanying them. || I propose to-morrow to renew my request to the Grand Vizier to have the reforms communicated to the Patriarch, and, in the event of his refusing, I shall request permission for his Beatitude to print an Armenian translation of the reforms in the form of a pamphlet for distribution among his people.

Nr. 11002. GROSSBRITANNIEN. — Dieselbe an Denselben. Die Missionare verlassen Musch.

Constantinople, November 1, 1895, 11 a.m. (Received November 1.)

Nr. 11002. Gross-britannien. 1. Nov. 1895.

Telegraphic. || On 31st October Mr. Hampson telegraphed as follows: — || "I had a meeting this evening with the chief Armenians and Mussulmans of the town, at the invitation and in the presence of the Mutessarif, to discuss the question of the public peace and the missionaries. We finally agreed that the missionaries should leave Sasun as soon as possible, and direct the relief work from Mush, that the Mutessarif should send two officials to be present at the distribution of relief, and that, in this way, peace would be insured, and all suspicion averted. || "This gives us all we ask for, as it appears that the missionaries already intended to leave for Mush in a fortnight to direct operations from there, and the Turkish Committee was always supposed to have cognizance of the proceedings of the missionaries. || "This meeting has, in my opinion, contributed greatly towards assuring the maintenance of order here."

Nr. 11003. GROSSBRITANNIEN. — Dieselbe an Denselben. Protest gegen die Ernennung Schefik Beys zum Präsidenten der Kontrollkommission.

Constantinople, November 1, 1895, 10.40 p.m. (Received November 1.)

Nr. 11003. Gross-britannien. 1. Nov. 1895.

Telegraphic. || I have the honour to state that the Russian and French Ambassadors and myself have been sounded by the Porte in regard to the appointment of Shefik Bey as President of the Commission of Control. Shefik-Bey was formely President of the Court of Appeal in Constantinople, and was last year appointed President of the Mush Commission. || Whe have replied that, in our opinion, the fact of his having served on the Mush Commission, was an objection to his appointment, and that we did not consider him a man of sufficient importance for the post*).

Nr. 11004. GROSSBRITANNIEN. — Der Minister des Auswärtigen an die Botschaften in Paris, Berlin, Petersburg, Wien, Rom. Sollen den Grossmächten die üble Lage der Missionare in Bitlis mitteilen.

Foreign Office, 1. Novembre 1895.

Nr. 11004. Gross-britannien. 1. Nov. 1895.

Telegraphic. || Communicate to Minister for Foreign Affairs telegram from Her Majesty's Chargé d'Affaires at Constantinople, just repeated to you, respecting dangerous position of missionaries at Bitlis.

Nr. 11005. GROSSBRITANNIEN. — Botschaft in Berlin an den Minister des Auswärtigen. Die deutsche Regierung will an der Besserung der Lage in der Türkei mitarbeiten.

Berlin, November 2, 1895, 4.15 p.m. (Received November 2.)

Nr. 11005. Gross-britannien. 2. Nov. 1895.

Telegraphic. || Your Lordship's telegram of yesterday has been acted on. The Imperial Secretary of State for Foreign Affairs stated that he yesterday received a telegram from Constantinople, reporting that the agitation in the Turkish provinces was increasing. No further details, however, were given. || Baron von Marschall repeated that the Imperial Government earnestly desired to co-operate with other Powers in order that this alarming state of affairs might be brought to an end.

Nr. 11006. GROSSBRITANNIEN. — Botschaft in Petersburg an den Minister des Auswärtigen. Anschauung der russischen Regierung.

St. Petersburgh, November 2, 1895. (Received November 2.)

Nr. 11006. Gross-britannien. 2. Nov. 1895.

Telegraphic. || Prince Lobanoff, to whom I have communicated the substance of the telegram from Her Majesty's Chargé d'Affaires of the 1st instant, told me that Mr. Herbert would, no doubt, be supported in his representations by M. de Nélidoff, whose instructions were to act with his colleagues in

*) Shefik Bey trat am 12. November zurück.

all cases where loss of life could be prevented by prompt action. || According to reports received from M. de Nélidoff, Prince Lobanoff continued, serious disturbances were apprehended, as the excitement among the Turks in Constantinople against the Government, and even the Sultan, was daily increasing. In consequence of this, instructions had been sent to the Russian Ambassador at Constantinople to concert with his colleagues as to the proper measures to be taken, in the event of any serious outbreak, for the protection of their respective nationals; and Prince Lobanoff had also impressed upon his Excellency the importance of conducting such deliberations with the greatest prudence, in order to avoid any premature alarm. He added that he hoped Mr. Herbert would receive similar instructions from your Lordship.

Nr. 11006. Grossbritannien. 2. Nov. 1895.

Nr. 11007. GROSSBRITANNIEN. — Der Botschafter in Wien an den Minister des Ausw. Anschauung Goluchowski's.

Vienna, November 2, 1895. — (Received November 2.)

Telegraphic. || With reference to your Lordship's telegram of the 1st instant, I am informed by Count Goluchowski that, as the Ambassadors are doing their utmost to save the Turkish Government from the consequence of its own apathy, it appears to him useless to send them any further instructions.

Nr. 11007. Grossbritannien. 2. Nov. 1895.

Nr. 11008. GROSSBRITANNIEN. Der Minister des Auswärtigen an die Botschaft in Konstantinopel. Vorbewegung des britischen Geschwaders.

Foreign Office, November 3, 1895.

Telegraphic. || I have repeatet to you Mr. Goschen's telegram of yesterday, reporting the instructions sent to M. de Nélidoff to concert with his colleagues as to measures for the protection of foreigners in the event of serious disturbances at Constantinople. || You will, of course, be ready to take part in any deliberations which the Russian Ambassador may invite for this purpose, and you should report to me the result of any such consultation. || You are at liberty, if you think it desirable, to inform your colleagues that it is proposed to move the British Squadron to Salonica from Lemnos, and you may also acquaint the Grand Vizier.

Nr. 11008. Grossbritannien. 3. Nov. 1895.

Nr. 11009. GROSSMÄCHTE. — Identische Note an die Pforte über die armenischen Unruhen.

November 5, 1895.

Les Représentants des six Grandes Puissances ont échangé leurs vues sur la situation dont la gravité leur est signalée par tous leurs Agents. Ils sont très inquiets de l'état des provinces, où règne une anarchie complète qui n'a plus de rapport avec l'agitation Arménienne et qui menace les Chrétiens de toute nationalité. || A Diarbékir le massacre et le pillage ont frappé indistinctement les Chrétiens des différents rites sans aucune provocation de leur part. || A Mossoul, à Bagdad, en Syrie, où il n'y a pas d'Arméniens, l'effervescence prend des proportions inquiétantes. || La Porte doit savoir par

Nr. 11009. Grossmächte. 5. Nov. 1895.

Nr. 11009. Grossmächte. 5. Nov. 1895.

l'exemple de ce qui s'est passé en Syrie en 1860 que cette anarchie ne peut durer impunément. || Les Représentants des Puissances sont obligés d'en référer à leurs Gouvernements, qui se concerteront dans le cas où la Porte ne prendrait pas immédiatement des mesures efficaces. || Ils prient le Ministre des Affaires Étrangères de leur faire savoir ce que le Gouvernement Ottoman compte faire pour mettre un terme aux désordres actuels.

Nr. 11010. GROSSBRITANNIEN. — Die Botschaft in Konstantinopel an den Minister des Ausw. Verhandlung mit dem Sultan über die Publikation der Reformen.

Constantinople, November 8, 1895.
(Substance received by telegraph, November 8.)

Nr. 11010. Grossbritannien. 8. Nov. 1895.

My Lord, || as I had the honour to report to your Lordship in my telegram of the 5th instant, the Sultan sent me on that day a message containing, amongst other things, a promise that the reforms should be published in the press of the capital "to-morrow." As they did not appear in the papers of either the 6th or 7th, I sent Mr. Block yesterday to the Palace to express to the First Secretary my astonishment and regret at His Majesty's failure to carry out his promises. || In reply, I received the following message: His Majesty had intended to make the publication, but he now hesitated from fear that the result would be an increase of jealousy on the part of his Moslem subjects, who would perhaps visit their resentment on the Christians; in fact, His Majesty had decided that this was not the moment. Even were they published, what good would it do? A résumé had been published in the press, and the Armenians should thus know that reforms would be given them. What advantage would it be to the Armenian peasant to know that such and such an Article of the law would be carried out? People could not go about with the "Destour" open searching for various Articles of the Law. || The Sultan complained that, although the Powers were satisfied with the reforms, the Patriarch had never expressed a word of thanks or gratitude. || His Majesty desired me to telegraph to your Lordship that deeds and not words were, in his opinion, what was necessary at the moment. He had already said he would carry out the reforms, and he intended loyally to do so, but the first thing was to put an end to this deplorable bloodshed in the provinces, provoked by the Armenians. This he was striving to do by sending the strongest instructions, holding the authorities responsible, and enjoining upon them the necessity of first using conciliatory measures before allowing the troops to use their arms. He trusted your Lordship would instruct the Consuls to urge the Armenians to return to their vocations, and not provoke disorders and arouse the Turks, and that the Embassy would also urge the Patriarch to use his influence. With regard to the reforms being communicated in detail to the Patriarch officially, the same objections held good, as the Patriarch would publish them in the Armenian press. Michael H. Herbert.

Nr. 11011. GROSSBRITANNIEN. — Die Botschaft in Berlin an den Minister des Auswärtigen. Der deutsche Botschafter in Konstantinopel soll mit den übrigen zusammengehen.

Berlin, November 9, 1895, 4.40 p.m. (Received November 9.)

Nr. 11011. Gross-britannien. 9. Nov. 1895.

Telegraphic. || According to a report received from the German Ambassador at the Porte, the situation since the fall of Kiamil Pasha is decidedly worse, and it is possible that an outbreak may occur in Constantinople. || M. de Saurma, the German Ambassador at Constantinople, has been authorized generally to take part in any steps which all the other Embassies may adopt.

Nr. 11012. TÜRKEI. — Der Sultan durch die englische Botschaft in Konstantinopel an den englischen Minister des Auswärtigen. Beteuert seine Absicht, die Reformen auszuführen und ruft Englands Beistand an.

Constantinopel, 10. Nov. 1895.

Nr. 11012. Türkei. 10. Nov. 1895.

"How is it that after all my messages of friendship, and the expressions of my good intentions, I get no answer from Lord Salisbury? || "I hope for assistance from England, and I repeat that England should be convinced of my earnest desire to carry out my promises. The reforms have been granted; there is no reason in the world to suppose that they will not be faithfully carried out. It is to my interest and that of this country that the reforms should be introduced, and naturally we look to our own interests in this respect. The execution of reforms, however, is dependent on the re-establishment of order, and they can only be put in force when quiet exists. || "The Armenians, by their intrigues and sedition, and by provoking disorders, have delayed, and are still delaying, the reforms. Directly Shakir Pasha got to Erzeroum, he began to enrol Christian gendarmes. This is a proof that I desired to set to work at once. Then the trouble began at Erzindjian, followed by that at Baïbourt and Erzeroum, and I do not know if Shakir Pasha has been able to do anything more, but he began to work on the day of his arrival, and if he has been unable to continue it, it is only the troubles which have stopped him. || "To put an end to disorder I have had to call out at great sacrifice large numbers of troops with the ultimate object of executing the reforms as soon as possible, and I think I shall be able to complete them directly order is restored in less than two months. Thus I do not anticipate that much time will elapse before being able to get the reforms into working order. || "To further this end I am sending to-morrow two Feriks, Abdallah Pasha and Saad-ed-din Pasha, with some civil functionaires, the first to go to the Erzeroum district, the second to the Bitlis district, and

Nr. 11012. Türkei. 10. Nov. 1895.

their first efforts will be employed in restoring order by conciliatory means, if possible, and advice to all classes of the population. This is a still further proof of my good faith. || „Let then England help me by giving good advice to the Armenians, or even threatening them that nothing will be gained by their present conduct, and by telling them that, on the contrary, reforms cannot be carried out as long as they continne to agitate and create disorder. || „Why is it that England will not help me? I cannot understand it. Does Lord Salisbury not wish to help me? In spite of all my sincerest efforts I see that the English papers still abuse me. Can they not see that I am earnestly striving to put things straight? Cannot something be done to stop them? I expect England to give me great assistance."

Nr. 11013. GROSSBRITANNIEN. — Der Minister des Auswärtigen an die Botschaft in Konstantinopel. Antwort auf die Botschaft des Sultans.

Foreign Office, November 11, 1895, midnight.

Nr. 11013. Gross-britannien. 11. Nov. 1895.

Telegraphic. || I have received your telegram of to-day, in which you transmit a further message from the Sultan expressing surprise at having received no answer to his former message, in which His Imperial Majesty renewed his promises respecting the execution of reforms in the Armenian provinces, and appealed to Her Majesty's Government for assistance in his task. || In reply, you should explain to His Imperial Majesty that my answer to his last message was deferred until he had fulfilled the promise conveyed in it to publish immediately the scheme of reforms with a further Iradé, and you may express my great regret and disappointment at the postponement of the publication. || You will convey to His Imperial Majesty my respectful acknowledgments for his assurances of friendship to this country, and inform him that Her Majesty's Government are still desirous of assisting him, but that they consider it indispensable that measures should be taken to repress and prevent the attacks on the Christian population by the Mahommedans, which are taking place in various portions of the Ottoman dominions. The reports which have reached us show that the Sultan is mistaken in his belief that the Armenians have provoked these disorders. We are informed that on nearly every occasion this was not the case, and that in too many instances the Turkish authorities and troops have encouraged and even taken part in the outrages which have occurred. || The fact that the Sultan recently decorated an officer, whom he had dismissed on the ground of gross misgovernment, does not encourage Her Majesty's Government to feel any confidence in the earnestness of His Imperial Majesty's intention to give serious effect to the promised measures of reform.

Nr. 11014. GROSSBRITANNIEN. — Die Botschaft in Konstantinopel an den Minister des Auswärtigen. Russland schlägt vor, ein zweites Stationsboot heranzuziehen.

Constantinople, November 12, 1895, 10.35 a.m. (Received November 12.)

Nr. 11014. Grossbritannien. 12. Nov. 1895.

Telegraphic. || There was another meeting of the Representatives of the Great Powers last night, when M. de Nélidoff made the following proposal: That each Representative should apply to his Government to hold a gun-boat or light-armed vessel in readiness to dispatch to Constantinople to act as second "stationnaire," such vessel to have a crew of not less than 100 or more than 200 men; that as soon as we have all received answers from our Governments, and if they approve, another meeting will be held to decide whether the vessels shall be sent at once or not. || M. de Nélidoff insisted that the presence of six gun-boats with 600 men must produce a great moral effect here, and hinted that the adoption of his proposal might obviate the necessity of having recourse to measures involving political complications. || A similar measure was adopted in 1876, when each Government had two "stationnaires" here. || If your Lordship approves the proposal, will you inform me of the name of the vessel designated, and of her whereabouts?

Nr. 11015. GROSSBRITANNIEN. — Der Minister des Auswärtigen an den Botschafter in Wien. Unterredung mit dem österreich. Botschafter über die türkische Frage.

Foreign Office, November 13, 1895.

Nr. 11015. Grossbritannien. 13. Nov. 1895.

Sir, yesterday the Austrian Ambassador called upon me by special appointment, and stated that the object of the interview was to put to me two questions which he had been instructed by his Government to ask. In the first place, he wished to know whether I thought that a revolutionary crisis in Constantinople was impending; and secondly, if so, to know what proposals I was prepared to make for meeting it. || I replied that, without expressing any very confident opinion, it was my impression that, for the moment, the danger of revolution had passed by, though it would probably recur. I did not, however, anticipate immediate danger. To the second request I mentioned to him the proposal of the Russian Ambassador that each Power should call up to the Bosphorus two "stationnaires" instead of one, which it is believed that, under the Treaties, they have the power to do. I said that it seemed to be the opinion of those most competent to judge that the Embassies with that protection would not be in serious peril. || His Excellency replied that there were large bodies of Christians outside the Embassies, most of them perhaps subjects of the Porte, but many of them belonging to other European nations, who would be placed in very considerable jeopardy if the existing order in Constantinople was overthrown by any outburst of Mussulman fanaticism. What remedy had I to suggest for this

Nr. 11015. Gross-britannien. 13. Nov. 1895.

danger? I asked him whether he contemplated acting through the Sultan, or in despite of the Sultan. He replied that, of course, his Government only contemplated acting through the Sultan. I said that if the mere impression ever gained ground, that so conservative a Government as Austria was prepared to act with the unanimous concurrence of the Powers, but without the assent of the Sultan, that assent would not then be difficult to obtain.

Salisbury.

Nr. 11016. GROSSBRITANNIEN. — Die Botschaft in Paris an den Minister des Auswärtigen. Anschauung der französischen Regierung.

Paris, November 13, 1895. (Received November 15.)

Nr. 11016. Gross-britannien. 13. Nov. 1895.

My Lord, || I called on M. Berthelot this afternoon, and asked his Excellency the following questions: What instructions had been sent M. Çambon on the subject of the Russian proposal to send a second "stationnaire" to Constantinople? and whether the rumour in the press as to the intention of the french Government to strengthen their squadron already sent to the Levant was well founded? || M. Berthelot to my first question replied, as I have had the honour to telegraph to your Lordship, that the French Ambassador at Constantinople had been instructed to inform his colleagues that France was willing, to hold a vessel in readiness to act as a second "stationnaire", provided that all the other Powers were unanimous in agreeing to do the same. || In answer to my second inquiry, his Excellency stated that the rumour I had mentioned was virtually correct, inasmuch as the French Government would send additional ships to the Levant should the situation there require such a step.

Henry Howard.

Nr. 11017. TÜRKEI. — Der Sultan durch die englische Botschaft in Konstantinopel an den engl. Minister des Auswärtigen. Verpfändet sein Ehrenwort für die Durchführung der Reformen.

Konstantinopel, 14. November 1895.

Nr. 11017. Gross-britannien. 13. Nov. 1895.

I am very grateful for Lord Salisbury's message with regard to the assistance he is ready to afford me, and I desire Mr. Herbert to convey my sincere thanks for the same, and for the expressions of friendship in that message. I have, however, seen a résumé of a speech of Lord Salisbury, in which this phrase occurs: "I have little confidence that the promised reforms will be executed." This statement has pained me very much indeed, as the carrying out of the reforms is a matter decided upon by me, and, further, I am desirous of executing them as soon as possible. I have already repeatedly told my Ministers so. This being so, the only reason why Lord Salisbury should thus throw doubts on my good intentions must be the intrigues of certain persons here, or else falshe statements have been made to cause such

an opinion. The execution of reforms is absolutely decided upon, but it is first necessary that quiet should exist in the country. The most complete measures have been taken, and are being taken, to restore order and re-establish tranquillity. There is no doubt that the result of these measures will soon be apparent, if they have not already become so. || For instance, at Trebizond, Érzeroum, Bitlis, and Diarbekir, there have been no fresh disorders for some days past. But I repeat I will execute the reforms. I will take the paper containing them, place it before me, and see myself that every article is put in force. This is my earnest determination, and I give my word of honour. I wish Lord Salisbury to know this, and I beg and desire that his Lordship, having full confidence in these declarations, will make another speech by virtue of the friendly feeling and dispositions he has for me and my country. I shall await the result of this message with the greatest anxiety. I further ask that the Embassy will itself advise the Armenians, and instruct its Consuls to advise them in the strongest manner possible, to remain satisfied with the reforms, as Lord Salisbury says in his speech that they should be, and to keep quiet. And they ought to be made to understand that the reforms cannot be carried out if they create disturbances.

Nr. 11017. Grossbritannien. 13. Nov. 1895.

Nr. 11018. TÜRKEI. — Mitteilung an die Botschaften in Konstantinopel über die Absendung einer Untersuchungskommission.

Konstantinopel, 14. Nov. 1895.

Translation. || On account of the disturbances which have occurred in certain vilayets in Anatolia, and as the first of the measures adopted under the directions of His Imperial Majesty, besides the 4th and 5th Corps d'Armée, 128 battaillons of Redifs have been called under arms, and are being gradually dispatched to the necessary places. || Similarly, for the complete re-establishment of order and tranquillity, the dispatch of officials to carry out the requisite administrative, military, and judicial undertakings to the places where such are necessary has been approved, and by Iradé of His Majesty, Sami Effendi, Councillor of State, Lieutenant-Generals Saad-ed-din and Abdullah Pashas, Jemal Bey, of the Commission of Control, and Ibrahim Bey, of the Requests Department of the Court of Cassation, and Hussein Rushdi Effendi, member of the Criminal Section of the Court of Cassation, have been appointed. || They are divided into two sections, one of which is to visit Trebizond, Gumushkhane, Baibourt, Erzeroum, Mush, Bitlis, and the other Samsoun, Amasia, Tokat, Sivas, Malatia, Kharput, Erghana Madeni, and Diarbekir. Both sections proceeded to their posts on Tuesday last on steamers specially provided for that purpose.

Nr. 11018. Türkei. 14. Nov. 1895.

Nr. 11019. TÜRKEI. — Tewfik Pascha an Rustem Pascha. Massregeln zur Wiederherstellung der Ordnung.

I.

Constantinople, le 15 Novembre, 1895. (Communicated Nov. 15.)

Nr. 11019. Türkei. 15. Nov. 1895.

Télégraphique. || En vue de mettre fin aux désordres surgis sur certains points en Anatolie et de sauvegarder complètement l'ordre et la tranquillité publique, le Gouvernement Impérial, entre autres mesures, a appelé sous les armes 128 bataillons de réserves, indépendamment des contingents des 4e et 5e Corps d'armée Impériaux, et a adressé de nouvelles recommandations fermes et péremptoires aux Valis et Commandants pour que le calme et l'ordre soient promptement et définitivement assurés par l'application d'un traitement égal et juste envers tous les sujets de Sa Majesté Impériale sans distinction de race ni de religion. Il n'y a pas de doute que, grâce à ces dispositions, l'apaisement des esprits ne soit sous peu obtenu partout. || En outre, le Conseiller d'État Samy Effendi, les Généraux de Division Saadeddin et Abdullah Pachas, Djemal Bey, membre de la Commission du personnel, et Ibrahim Edhem Bey et Hussein Ruchdi Effendi, Conseillers à la Cour de Cassation, ont été chargés d'appliquer les mesures administratives et militaires pour le maintien de la sécurité et de l'ordre publics. Ces fonctionnaires formeront deux corps dont l'un se rendra à Trébizonde, Gumuchhané, Baïbourt, Erzeroum, Mouche, et Bitlis, et l'autre à Samsoun, Amassia, Tokat, Sivas, Malatia, Mamouret-ul-Aziz, Diarbékir. Ils sont partis hier par bateau spécial pour ces destinations. || La Commission chargée de veiller à l'application des réformes arrêtées pour les six vilayets a, de son côté, commencé dès aujourd'hui ses travaux et les dites réformes se trouvent déjà en cours d'exécution.

II.

Constantinople, le 15 Novembre, 1895. (Communicated November 15.)

Télégraphique. || Les émeutiers Arméniens de Zéitoun et de Marach ont attaqué les villages de Fersakh et de Bitchli. || Ceux d'Azirlou et de Tchokmerzemenk ont saccagé Pias et d'autres villages Musulmans, tué un grand nombre de leurs habitants, mis le feu à plusieurs maisons. Des mesures ont été prises pour le rétablissement de l'ordre. || Le Vali de Sivas nous informe de son côté que grâce aux dispositions adoptées par les autorités Impériales les maraudeurs qui étaient venus au chef-lieu pour se livrer au pillage ont été arrêtés. || Nonobstant les fausses rumeurs répandues au sujet de la situation à Hadjin, la tranquillité n'y a point été troublée. || Le Vali d'Erzeroum télégraphie aussi que des Commissions spéciales instituées au chef-lieu du vilayet et à Passinler pour la découverte et la restitution à leurs propriétaires des objets enlevés pendant la dernière bagarre fonctionnent activement, et qu'un grand nombre de ces objets ont été restitués. || Le Maréchal Chakir Pacha informe que la Commission formée dans le même but à Khouns a déjà

découvert et rendu à leurs propriétaires les objets qu'ils avaient perdus et que le calme et la tranquillité sont rétablis dans la ville.

Nr. 11019. Türkei. 15. Nov.1895.

III.

Constantinople, le 15. Novembre, 1895. (Communicated November 15.)

Télégraphique. || Le Vicaire du Patriarcat Syrien et quelques Notables de sa communauté viennent d'envoyer de Kharpout à la Sublime Porte le télégramme suivant: — || "Que le Très-Haut daigne prolonger les jours précieux de notre auguste Souverain et accroître sa puissance! Depuis 600 ans que nous avons le bonheur de vivre sous la protection du Gouvernement Impérial, nous n'avons jamais été l'objet d'aucune injustice ni de la part des autorités ni de celle de la population Musulmane. Aujourd'hui encore nous n'avons qu'à nous louer de nos rapports avec nos compatriotes Musulmans et nous affirmons sous serment que notre unique désir est de conserver toujours notre nationalité Ottomane."

Nr. 11020. GROSSBRITANNIEN. — Die Botschaft in Konstantinopel an den Minister des Auswärtigen. Oesterreich, Frankreich und Italien stimmen dem russ. Vorschlage eines 2. Stationschiffes zu.

Constantinople, November 15, 1895, 6.50 p.m. (Received November 15.)

Nr. 11020. Grossbritannien. 15. Nov.1895.

Telegraphic. || Proposal of Russian Ambassador has been approved by the Austrian, French, and Italian Governments. They have also designated ships, each having over 100 men. || I should be glad of your Lordship's instructions as soon as possible, as we meet again to-morrow at 5 to decide whether the extra vessels shall be asked for at once or not.

Nr. 11021. GROSSBRITANNIEN. — Der Minister des Auswärtigen an den Botschafter in Konstantinopel. Ist einverstanden mit der Heranziehung eines 2. Stationsschiffes.

Foreign Office, November 16, 1895.

Nr. 11021. Grossbritannien. 16. Nov.1895.

Telegraphic. || I have received your telegram of yesterday, and I authorize you to agree to the Russian Ambassador's proposal relative to a second "stationnaire" for the Embassies, and to request the British Admiral to have a vessel in readiness. Instructions have been sent to him by the Admiralty. || The Sultan's Firmans to enable the ships to come to Constantinople should, in my opinion, be applied for as soon as possible.

Nr. 11022. GROSSBRITANNIEN. — Die Botschaft in Berlin an den Minister des Auswärtigen. Ansicht der deutschen Regierung über die zweiten Stationsschiffe.

Berlin, November 16, 1895. (Received November 18.)

Nr. 11022. Grossbritannien. 16. Nov.1895.

My Lord, || At my interview with Baron von Marschall yesterday I asked his Excellency whether he had received any recent news from Constantinople. ||

Nr. 11022. Gross-britannien. 16. Nov. 1895. Baron von Marschall replied that no improvement in the state of things was visible in any part of the Turkish Empire, and that he had two days ago received a telegram from Baron von Saurma, stating that all the Ambassadors had agreed to recommend their respective Governments to send each a second "stationnaire" to Constantinople to afford additional protection in case of an outbreak. || His Excellency said that personally he did not think that this proposal would have much practical effect, but that the Imperial Government had no objection whatever to make to the suggestion; as far as Germany is concerned, the only available ship for service in the Levant is His Majesty's ship "Moltke," which is already at Smyrna; but he believed that both Italy and Austria-Hungary intended to send strong squadrons to the Levant. || Last night's papers announced that the Austrian squadron under ordres for the Levant consists of the "Empress Elizabeth," "Tegetthof," "Donau," and "Meteor," under the command of Rear-Admiral Seemann, and that besides these vessels the "Sebenico" had already arrived at Smyrna, and the "Taurus" at Constantinople.

Martin Gosselin.

Nr. 11023. TÜRKEI. — Tewfik Pascha an Rustem Pascha. Die Lage in Zeitun und Intriguen der Armenier.

Constantinople, le 17 Novembre, 1895. Communicated November 19.)

I.

Nr. 11023. Türkei. 17. Nov. 1895. Télégraphique. || Les insurgés Arméniens de Zéitoun (de Fernès) et de Kemban, au nombre de plus de 800, ont attaqué le district d'Enderin, incendié le local du Gouvernement et des maisons appartenant aux Musulmans, et capturé celles des familles Musulmanes qui n'ont pu s'enfuir. || Les émeutiers ont fait une nouvelle incursion dans le village de Kurtler à Marach, et incendié dix maisons ainsi que les effets qui s'y trouvaient.

II.

Constantinople, le 17 Novembre, 1895. (Communicated November 19.)

Télégraphique. || Voici le résumé de deux lettres envoyées par l'Évêque Arménien d'Alep à celui d'Ourfa, par l'intermédiaire d'un Arménien déguisé en Arabe, et saisi par les autorités de cette dernière ville, et qui prouvent d'une façon incontestable l'existence d'une entente parfaite entre les révolutionnaires Arméniens des différents centres de l'Asie-Mineure: — || "Envoyez de la poudre aux émeutiers de Zéitoun pour les mettre à même de résister aux autorités Impériales, et procurez-nous une certaine quantité de salpêtre pour fabrication de la poudre. || "Baronaga, de Zéitoun, formera une armée. || "Nous nous sommes rapprochés des jours où des événements sanglants auront lieu. || "Les Arméniens de Marach sont prêts à combattre et le désirent vivement. Ils demandent des armes et des munitions et comptent prêter leur assistance aux autres rebelles." || Ces informations ont été portées à la connaissance de tous les Comités.

Nr. 11024. GROSSBRITANNIEN. — Die Botschaft in Konstantinopel an den Minister des Auswärtigen. Ansicht der türkischen Regierung über Zeitun und die Stationsschiffe.

Constantinople, November 19, 1895, 10.5 p.m. (Received November 19.)

Nr. 11024. Gross-britannien. 19. Nov. 1895.

Telegraphic. || Your Lordship's telegram of the 18th instant. || Sultan has sent following reply to your Lordship's message:*) — || The Turkish Government cannot make the first advances after the manner in which the Zeitounlis are known to have acted. The Military Commandants in all parts of the Empire have already received orders not to touch any one who does not resist the authorities. His Majesty will give orders to the troops and guns which are ready at Marash not to move for two days. If on their arrival at Zeitoun the rebels consent to submit, hand over the authors of the outrages and deliver up their arms, nothing will be done to them. || Sultan again requests your Lordship to make a public declaration that the reforms will be carried out by His Majesty without delay in accordance with His Majesty's repeated assurances contained in previous messages, and an answer from your Lordship is pressed for. || A rumour that the' 'stationnaires" are to be doubled has reached His Majesty. Sultan hopes your Lordship will not take this step, as it might excite public feeling and prevent the tranquillity which is necessary to enable him to carry out the reforms. || His Majesty also urges that your Lordship should strongly advise the Armenians through the Patriarch to remain quiet, and not to make any fresh troubles.

Nr. 11025. GROSSBRITANNIEN. — Dieselbe an Denselben. Die Stationsschiffe.

Constantinople, November 20, 1895, 2.40 p.m. (Received Nov. 20.)

Nr. 11025. Gross-britannien. 20. Nov. 1895.

Telegraphic. || Sultan sent last night to my colleagues similar message to that contained in my telegram of yesterday in regard to the demand for extra "stationnaires." We have all replied that, in our opinion, it is in His Majesty's interest not to make objections, and to grant the necessary Firmans at once, in order to prevent stronger measures being resorted to, and that, moreover, we are convinced that the pressure of extra vessels here will have a tranquillizing effect. || Austrian, Italian, and Russian Ambassadors and myself have applied for Firmans to-day. French Ambassador, who is awaiting some communication from his Admiral, will apply to-morrow- and German Ambassador as soon as he receives instructions as to the name of vessel designated by his Government.

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*) Hierin hatte Lord Salisbury milde Behandlung der Aufständischen in Zeitun und etwaige Aburteilung der Rädelsführer nur vor Gericht verlangt. Red.

Nr. 11026. GROSSBRITANNIEN. — Dieselbe an Denselben. Die Pforte hat den Reformplan gestern offiziell den Botschaften von Deutschland, Oesterreich und Italien mitgeteilt.

Constantinople, November 20, 1895, 3.40 p.m. (Received Nov. 20.)

Nr. 11026. Grossbritannien. 20. Nov. 1895.

Telegraphic. || Plan of reforms was officially communicated yesterday by the Porte to German, Austrian, and Italian Ambassadors.

Nr. 11027. GROSSBRITANNIEN. — Botschafter in Petersburg an den Minister des Auswärtigen. Fürst Lobanoff ist nicht für eine gewaltsame Intervention in der Türkei.

St. Petersburgh, November 20, 1895. (Received November 26.)

Nr. 11027. Grossbritannien. 20. Nov. 1895.

My Lord, || I have the honour to report that, on the occasion when I communicated to Prince Lobanoff the substance of your Lordship's telegram of the 16th instant, his Excellency, after giving me his reply, proceeded to discuss the question of the intervention on the part of the Powers to put an end to the disorders in Asia Minor. || His Excellency's ideas on the subject are as follows: it is presumably the object of every Power to get the Sultan to restore peace and order in his dominions; to do this in the present state of excitement among his subjects His Majesty must have time, and his moral authority must be unimpaired. Threats of intervention cannot but undermine that authority, and will therefore defeat the object the Powers have in view, as, no matter how much the Sultan may wish and strive to restore order, without prestige and moral authority he can do nothing. As things stand at present the Sultan has accepted all our demands and we should now give ample time to allow the excitement to subside, and await patiently the result of His Majesty's efforts to tranquillize the disturbed districts. || I said that, as far as I understood the matter, it appeared to me that if intervention took place at all, it would only be as a last resort, and after it was clearly proved that the Sultan had not the requisite authority to cope with the situation himself, but that I supposed that, if the horrible scenes enacted daily in Asia Minor should happen to continue without any effectual measures being taken to put them down, the time might come when patience might be exhausted, and the Powers feel it their duty to put an end to a state of things which was clearly intolerable. || Prince Lobanoff then said that his experience in the East told him that such disturbances as were now taking place soon die a natural death, except in cases when the opposing elements were stirred up to continued action by some outside influence. || I ventured to observe, in reply, that happily this could not be the case at present, at all events so far as the Powers interested in the question of Armenian reforms were concerned, as they had been all along in such complete accord. I added that I had no authority to discuss the question of ultimate intervention with

his Excellency, and that any remarks I might have made were merely expressive of my personal views suggested by his own observations. His Excellency replied that he quite understood that, but that he had wished to place before me his own view of what would be the result of intervention, namely, that, it would so weaken the authority of the Sultan as to render him powerless to cope with the difficulties of the situation. || The keynote of Prince Lobanoff's whole conversation was the fear that the more intervention was threatened the more would the Armenians be encouraged to endeavour to bring about that intervention by fomenting disturbances, and provoking the Turks to sanguinary reprisals. W. E. Goschen.

Nr. 11027. Grossbritannien. 20. Nov. 1895.

Nr. 11028. **GROSSBRITANNIEN.** — Die Botschaft in Konstantinopel an den Minister des Auswärtigen. Vorstellungen der Botschafter an den Sultan.

Constantinople, November 21, 1895. (Received November 25)

Nr. 11028. Grossbritannien. 21. Nov. 1895.

My Lord, || The Sultan having expressed a wish to have the advice of the Representatives of the six Powers as to what steps he should take to restore confidence, a meeting of Ambassadors was called on the afternoon of the 18th instant, at which it was decided to send the following message through the Doyen, Baron Calice: — || "The only means of restoring confidence is to put a stop to the massacres, which we are convinced the Sultan can do if he is sincere in his professions. It is not for us to indicate the measures to be taken, but we venture to make the following suggestions: — "That the functionaries responsible for the massacres should be dismissed. || "That an inquiry should be held as to the participation of soldiers in the outrages, and the guilty be punished. || "That the orders recently sent to the Valis and Military Commanders should be published, and assurances given that previous orders have been cancelled. || "That a Hatt should be issued by the Sultan ordering his subjects to obey his wishes, and abstain from creating disturbances." || Baron Calice was also requested to say that, in view of the general alarm, each Embassy was sending for a second "stationnaire," and that Firmans for their passage would be requested the next day. || It was further suggested that Military Commanders should be assigned to the different districts of Constantinople, and be held responsible for the safety of the Christian population. || I have the honour to inclose a copy of a letter from Baron Calice reporting the reply made by Tewfik Pasha to this message.

Michael H. Herbert.

Beilage.

Der österreichisch-ungarische Botschafter an den englischen Botschafter.

Mon cher Collègue, || J'ai fait part à Tewfik Pacha de nos suggestions en lui laissant prendre quelques notes. Il n'a soulevé d'objections contre

Nr. 11028. Gross-britannien. 21. Nov. 1895.

aucun point, ayant plutôt l'air de trouver le tout parfaitement fondé et en règle. Il ne prévoyait non plus de difficultés quant à l'admission des stationnaires mais ce qui l'intéressait le plus c'était de savoir si la présence d'un second stationnaire pour chaque Ambassade empêcherait l'arrivée des flottes. J'ai cru devoir le rassurer sur ce point en lui disant que certes le redoublement des stationnaires calmerait beaucoup les appréhensions et qu'à moins de nouveaux dangers pour la sécurité des étrangers et des Chrétiens, la venue de nouvelles forces navales ne me paraissait aucunement probable. || Tewfik Pacha a beaucoup insisté sur l'efficacité—certaine d'après lui—des mesures que la Porte venait de prendre pour l'apaisement des Provinces d'Anatolie, tout en regrettant que tout cela n'ait pas été fait plus tôt. Comme une preuve de l'énergie et de l'impartialité du Gouvernement Impérial, il m'a communiqué un télégramme de Shakir Pacha, daté de Erzeroum, 18 Novembre, et portant que "Husséin Pacha, de Haideranli (un chef Kurde redoutable), a été arrêté d'après les lois militaires en vigueur, et qu'il sera jugé bientôt," qu'en outre, "il a ordonné que toutes choses pillées soient rendues." || Tewfik Pacha m'a prié de porter "ce fait important" à la connaissance de messieurs mes collègues.

Votre tout dévoué, Calice.

Nr. 11029. GROSSBRITANNIEN. — Botschaft in Konstantinopel an den Minister des Auswärtigen. Die 2 Stationsschiffe.

Constantinople, November 21, 1895, 10.35 p.m. (Received November 21.)

Nr. 11029. Gross-britannien. 21. Nov. 1895.

Telegraphic. || Six Representatives have again received further message from the Sultan stating that His Majesty wishes the Council of Ministers which meets next Sunday to consider our request for Firmans for the extra "stationnaires." We have urged the necessity of Firmans being granted at once, replying in much the same terms as those contained in my telegram of yesterday. As there is no German vessel available in the Mediterranean, German Ambassador has not asked for a Firman, but he is energetically supporting our request, and he may apply for a Firman later.

Nr. 11030. GROSSBRITANNIEN. — Der Botschafter in Konstantinopel an den Minister des Auswärtigen. Antwort der Pforte auf die Vorstellungen.

Pera, November 21, 1895. (Received November 25.)

Nr. 11030. Gross-britannien. 21. Nov. 1895.

My Lord, || Tewfik Pasha called on me this afternoon and informed me that the Sultan desired to express his thanks for the advice tendered him by Baron Calice on behalf of the Representatives of the Powers at Constantinople. || His Excellency went on to say that the instruction to the Valis which we had asked for had already been communicated to the several Embassies, and a list of the functionaries at places where disturbances had broken out was being prepared. As regards the publication of a Hatt, His

Majesty was of opinion that it was unnecessary, as the instructions to the Valis which had been communicated to us had all been published in the newspapers, and Her Majesty's Government would be able to judge from them how much in earnest he was in his desire to put an end to the disturbances in the provinces. There had been now no fresh news from the disturbed districts for three days, and this proved how effective were the measures which His Majesty had taken to that end. || I expressed the hope to Tewfik Pasha that the Sultan would not oppose the grant of Firmans for the passage up the Dardanelles of the additional "stationnaires," but his Excellency evaded the question by stating that His Majesty had not yet received the Takrirs made by the different Embassies for the Firman. || I have the honour to inclose herewith copies of the instructions sent by the Porte to the Valis and Military Commissioners above referred to, and also of the comments made on them in the Turkish paper "Sabah."*) Michael H. Herbert.

Beilage 1.

Telegramm an die Gouverneure der Vilajets von Trapezunt, Erzerum, Bitlis, Van, Diarbekir, Mamouret-ul-Aziz, Sivas, Adana, Aleppo vom 3. Nov. 1895 (a. S.).

Les Commandants de Brigades, en expédiant des corps volants pour la répression des désordres surgis dans leur circonscription, lanceront une Proclamation aux populations pour engager ceux qui tentent de troubler à main armée la sécurité publique à renoncer à leur attitude et à s'abstenir de tous faits qui seraient contraires aux hautes volontés de Sa Majesté Impériale le Sultan. || Ils auront à sévir immédiatement par les armes contre ceux qui ne se conformeraient pas à cette injonction et s'empresseront d'empêcher en faisant stationner des troupes sur divers points, tout mouvement des émeutiers pour attaquer à main armée les bourgs et villages. || Si des meurtres et actes d'insurrection venaient à être commis inopinément dans la sphère d'évolution d'un corps volant les dits Commandants auront à en poursuivre immédiatement les auteurs sans leur faire aucune sommation. || Le Commandant-en-chef du 4e Corps de l'Armée Impériale aura à prêter au moyen des troupes du dit corps, l'assistance nécessaire aux Commandants de brigade susmentionnés qui se trouveront sous ses ordres en vue d'assurer le succès de leur tâche. || Le Séraskérat a été invité à transmettre des ordres télégraphiques dans ce sens tant au Muchir du dit corps d'armée qu'aux Commandants précités. || La ligne de conduite à suivre par les autorités civiles à l'égard des agitateurs ayant été précédemment indiquée par le télégraphe, conformément à un Iradé Impérial, vous aurez à faire à qui de droit des recommandations dans le sens du dit télégramme Circulaire avant l'envoi de troupes pour la répression des

*) Hier weggelassen. Red.

Nr. 11030. Grossbritannien. 21. Nov. 1895. actes attentatoires à la sécurité publique. || Ces dispositions ayant été revêtues de la sanction Impériale et des instructions en conséquence transmises au Séraskérat et aux autres Valis, je vous engage encore une fois à vous y conformer strictement en ce qui concerne votre vilayet. || Notre auguste Maître désirant vivement que l'ordre soit rétabli au plus tôt dans les localités où il a été troublé, que la vie, l'honneur, et les biens de tous soient sauvegardés et que tous faits et actes contraires à la justice et à l'équité soient empêchés, vous aurez à veiller jour et nuit à assurer la réalisation de la volonté souveraine en mettant sans retard fin aux désordres.

Beilage 2.

Telegramm an den Stab des 4. Armeecorps und die Kommandeure von Aleppo, Bitlis, Adana, Trapezunt, Diarbekir, Sivas, Mamouret-ul-Aziz, und in anderen Teilen der asiatischen Türkei, 5. Nov. 1895 (a. S.)

La volonté formelle de notre auguste Maître étant que l'on veille plus que jamais et d'une façon tout à fait spéciale au maintien de la tranquillité du pays de façon à prévenir absolument tous actes tels qu'incendies, menées séditieuses, effusion de sang ou attaques de la part d'une classe de la population contre l'autre ou contre les Consulats et sujets étrangers, des instructions en conséquence ont été déjà transmises aux fonctionnaires de l'Administration Civile. Conformément à un Ordre Impérial, les autorités militaires doivent se concerter avec les Valis et les Mutessarifs pour tâcher d'assurer la tranquillité publique et veiller strictement à ce que les officiers et soldats de l'armée Impériale agissent dans les limites des règlements militaires en s'abstenant soigneusement de se porter à des actes pouvant provoquer des plaintes, tout manquement à ces prescriptions, toute négligence et tous procédés contraires à la discipline devant entraîner une grave responsabilité.

Beilage 3.

Telegramm an die Vilajets von Van, Bitlis, Erzerum, Aleppo, Diarbekir, Trapezunt, Sivas, Mamouret-ul-Aziz, 5. Nov. 1895 (a. S.).

Bien que les Iradés Impériaux itératifs qui vous ont été déjà communiqués prescrivent l'adoption dans votre vilayet de mesures propres à prévenir tout acte pouvant troubler l'ordre public ainsi que toute effusion de sang, et d'empêcher qu'une classe de la population attaque l'autre ou que des actes contraires à la justice soient commis, de pareils cas continuent cependant à se produire. L'une des attributions les plus importantes des Valis étant de maintenir et d'assurer la tranquillité dans les provinces, je viens, conformément aux ordres formels de notre auguste Maître, vous prévenir que si après que le présent télégramme vous sera parvenu on laissait se produire des méfaits

tels qu'incendie, menées séditieuses, perturbation de l'ordre public ou effusion de sang, un pareil manquement aux devoirs ne pourrait en aucune façon être pardonné et entraînerait une grave et absolue responsabilité. Cette responsabilité devant aussi s'étendre aux Mutessarifs et aux Caïmacams vous devez vous concerter aussi avec ces Commandants pour l'adoption de dispositions en conséquence. Vous aurez surtout à veiller avec la plus grande vigilance à la protection des Consulats et des sujets étrangers de façon à les mettre à l'abri de tout danger et à écarter tout motif de plainte de leur part. Tous les coupables devront être arrêtés et punis conformément à la loi.

Nr. 11030. Grossbritannien. 21. Nov. 1895.

Vous télégraphierez en clair toutes les vingt-quatre heures, au Ministère de l'Intérieur, au Séraskérat, au Grand Vizirat, et au Palais Impérial la situation du vilayet.

Nr. 11031. GROSSBRITANNIEN. — Der Minister des Auswärtigen an die Botschaft in Berlin. Soll der deutschen Regierung für ihre energische Sprache, die grossen Eindruck auf den Sultan gemacht hat, danken.

Foreign Office, November 22, 1895.

Telegraphic. || I Request you to state to the German Minister for Foreign Affairs that Her Majesty's Government have heard with great satisfaction of the language held by the German Ambassador at Constantinople to the Sultan, by which an excellent effect appears to have been produced. You will express our best acknowledgments for the friendly support of the German Government. || I have been glad to learn from Count Hatzfeldt that the German Ambassador has also joined in endeavouring to obtain clemency for the Armenian insurgents of Zeitoun. If barbarities were committed there by the Turkish troops, a very serious effect would be produced on pubiic opinion in this country and in Europe generally.

Nr. 11031. Grossbritannien. 22. Nov. 1895.

Nr. 11032. TÜRKEI. — Ablehnung des zweiten Stationsschiffes.

25. November 1895.

Les Représentants des Puissances ont officiellement demandé à la Sublime Porte l'autorisation pour le passage à travers les Détroits des Dardanelles et du Bosphore d'un second stationnaire. || La Sublime Porte croit devoir faire remarquer à ce propos que la présence au moment actuel de ces bâtiments dans les eaux de Constantinople peut être de nature à encourager les agitateurs, et peut-être même, à donner occasion à des désordres tant dans la capitale que dans les provinces; et, en outre, que les étrangers habitant les différentes parties de la capitale n'ont pas été molestés et n'ont absolument rien eu à souffrir pendant les derniers désordres, qui ont été fomentés, comme on le sait, par des agitateurs Arméniens. || La Sublime Porte espère que le Gouvernement de Sa Majesté Britannique prendra en considération les observations qui précèdent, et voudra bien autoriser le Représentant de Sa

Nr. 11032. Türkei. 25. Nov. 1895.

Nr. 11032. Türkei. 25. Nov. 1895. Majesté à ne pas insister sur sa demande, qui, au moment où la sécurité et la confiance commencent à renaître, paraît au Gouvernement Impérial peu justifiée.

Nr. 11033. GROSSBRITANNIEN. — Der Botschafter in Konstantinopel an den Minister des Auswärtigen. Vorschlag eines verantwortlichen türkischen Ministeriums.

Constantinople, November 25, 1895, 11 p.m. (Received November 25.)

Nr. 11033. Grossbritannien. 25. Nov. 1895. Telegraphic. || I Raised a discussion at the Ambassadors' meeting to-day as to whether it would not be feasible for us to urge the Sultan to appoint a responsible Ministry. || Most of my colleagues received my suggestion well, but the Russian Ambassador held that the attempt would be sure to fail and objected to it as an undue interference in the internal affairs of Turkey.

Nr. 11034. GROSSBRITANNIEN. — Derselbe an Denselben. Antwort auf die Ablehnung der zweiten Stationsschiffe.

Constantinople, November 25, 1895, 11.15 p.m. (Received November 25.)

Nr. 11034. Grossbritannien. 25. Nov. 1895. Telegraphic. || In view of the refusal of the Porte to grant Firmans for the passage of the "stationnaires" and of the direct appeal made by the Turkish Government to the various Governments to withdraw the demand, it was agreed, at the Ambassadors' meeting this afternoon, that we should telegraph to our respective Governments in the following terms:— || "The Ambassadors are unanimously of the opinion that the dignity of the Powers and the security of the foreign Colonies require that they should insist on their demand for Firmans for the passage of the second 'stationnaire,' and, in the event of a refusal, that they should fix on a date, after which they will take measures to insure the concession of a right which has been formally recognized in the Treaties." || The measures to be taken will remain to be discussed when the Powers have concurred in the above telegram.

Nr. 11035. GROSSBRITANNIEN. — Der Minister des Auswärtigen an den Botschafter in Konstantinopel. Russland über die zweiten Stationsschiffe.

Foreign Office, 26. November 1895.

Nr. 11035. Grossbritannien. 26. Nov. 1895. Sir, || The Russian Ambassador called here to-day and communicated a message from his Government, stating that the Sultan had requested that the demand made by the Powers for second "stationnaires" at Constantinople might at least be deferred, if it could not be withdrawn, on the ground that order was re-established at Constantinople, that no foreigners had suffered in the recent disturbances, and that the arrival of the ships would be taken as a demonstration against the Turkish Government which could not but impede their efforts to maintain tranquillity. His Excellency was instructed to say

that the Russian Government were ready to agree if all the other Powers also consented, and hoped that Her Majesty's Government would do so.

Nr. 11035. Gross-britannien. 26. Nov. 1895.

In reply, I have informed M. de Staal that the Turkish Chargé d'Affaires here had presented a request that Her Majesty's Government should withdraw their application, but that I had replied that I must refuse to do so, and that I gathered from a telegram just received from Sir P. Currie, that the Minister for Foreign Affairs had informed him that the Firmans would be granted. I hoped, therefore, that the question was settled, and it seemed to me that the arrival at Constantinople of five vessels of comparatively small size was not a matter to create any serious excitement or alarm. Salisbury.

Nr. 11036. **GROSSBRITANNIEN.** — Der Minister des Auswärtigen an den Botschafter in Konstantinopel. Ansichten Russlands und Oesterreich-Ungarns über die zweiten Stationsschiffe.

Foreign Office, November 27, 1895, 6.32 p.m.

Nr. 11036. Gross-britannien. 27. Nov. 1895.

Telegraphic. || M. de Staal communicated on the 26th instant a message from Prince Lobanoff to the effect that the Sultan had requested that the application by the Powers for Firmans for second "stationnaires" at Constantinople might at least be deferred, if it could not be withdrawn. His Excellency added that his Government were willing to grant this request, and hoped that Her Majesty's Government would also agree to it. || In reply, I stated that the Turkish Chargé d'Affaires here had presented a request that the application made by Her Majesty's Government for a Firman should be withdrawn, but that I had refused to do so; that I understood from your Excellency that Tewfik Pasha had promised that the Firmans would be issued, and that I therefore hoped that this question might be regarded as already settled. From your telegram of to-day, however, I fear that it has not been possible to overcome the Sultan's objections. || I hear that the Austro-Hungarian Government have accepted the proposal of the Ambassadors that they should be authorized to name a date for the issue of the Firmans, after which action should be taken to obtain the concession of a right which the Treaties formally recognize.

Nr. 11037. **GROSSBRITANNIEN.** — Botschaft in Berlin an den Minister des Auswärtigen. Die deutsche Regierung besteht auf dem zweiten Stationsschiffe.

Berlin, November 29, 1895, 6 p.m. (Received November 29.)

Nr. 11037. Gross-britannien. 29. Nov. 1895.

Telegraphic. || At an interview with Baron von Marschall this morning the Turkish Chargé d'Affaires asked that the Emperor should exert his good offices with the other five Powers with a view to the demand for second "stationnaires" being abandoned; he said that the Sultan was prepared to guarantee order and the security of life and property at Constantinople. || His

Nr. 11037. Gross-britannien. 29. Nov. 1895. Excellency categorically refused this request, and again impressed on the Turkish Chargé d'Affaires that the Sultan's best chance of maintaining order was at once to yield to the request which the Great Powers had unanimously put forward.

Nr. 11038. GROSSBRITANNIEN. — Der Botschafter in Konstantinopel an den Minister des Auswärtigen. Unterredung mit dem Sultan über die armenischen Reformen und die zweiten Stationsschiffe.

Constantinople, November 29, 1895. (Received December 9.)

Nr. 11038. Gross-britannien. 29. Nov. 1895. My Lord, || I had the honour of being received this afternoon by the Sultan in a private audience, which lasted two and a-half hours. || His Imperial Majesty began by inquiring after the health of the Queen. I replied that Her Majesty was well, and had charged me to present her compliments to the Sultan, and to thank him for the messages he had sent. Her Majesty had heard with great grief of the events which had occurred in Turkey during the last few weeks, and trusted that the Sultan would do all in his power to prevent their continuance. || His Imperial Majesty replied that I was doubtless already aware that order had been restored, as the Porte had been instructed to communicate to the Embassies all news received from the provinces, as well as copies of the orders sent to the local authorities for the maintenance of order. Troops had also been dispatched to prevent a recurrence of disorder and, in fact, everything that could be done had been done. I must have heard from our Consular officers, said His Imperial Majesty, in conclusion, that since some days quiet prevailed. || I said the reports I had received confirmed His Majesty's statements, but that in some places disturbances still continued, though on a relatively small scale.

His Majesty went on to say that there still existed a regrettable impression that he was not sincere in his desire to execute the reforms without delay. Such a scheme had naturally required prolonged discussion, but, once approved and adopted, he was resolved it should be carried out in its entirety. The first thing, however, needful was to restore order, for only then could the reforms be taken in hand. Nevertheless, a beginning had already been made: certain Inspectors had been chosen, as well as Muavins for the Valis and Mutessarifs. Shakir Pasha had begun to enrol a Christian gendarmerie, and but for the disturbances would have introduced it by now in all the six vilayets. || I said that Her Majesty's Government had heard with satisfaction of the Sultan's fixed resolve to execute reforms, but, unfortunately, late events could not but shake their confidence. The acceptance of the reforms had been followed by massacres throughout the Armenian provinces, and thousands of people who had lost their homes and property must starve during the winter unless relief was forthcoming. Just before leaving the Embassy I had received news which was far from reassuring, namely, that several Armenians

had been forced to accept Mahommedanism to escape death. || His Majesty remarked that he had no sympathy with any one who changed his religion, and he cited the case of a well-known Armenian, a high functionary in the Ministry of Justice, who had turned Mahommedan. He had no consideration whatever for this man. He asked me to give him details respecting the forced conversions I had mentioned, and I promised to do so.

I then informed His Majesty that I had that day received a telegram from Her Majesty's Vice-Consul at Mush, saying that Armenians had been threatened and tortured at Bitlis in order to force them to telegraph to Constantinople that the massacres at that place had been begun by Armenians. The Sultan at first expressed incredulity, and asked who forced the Armenians to make such statements. I replied it was the authorities, who wished to disown all responsibility for what had occurred. The Sultan said he would make inquiries, but asked what evidence would convince me. I said His Majesty had no doubt officials whom he could trust, on which he suggested Abdullah Pasha, or Saad-ed-Din Pasha, President of the Commission, lately dispatched as suitable persons, but I declined to interfere in the choice of the functionaries to be sent, and confined myself to suggesting that one of Her Majesty's Vice Consuls should take part in the inquiry. The Sultan agreed to this. || I then said that there were two circumstances which Her Majesty's Government had learned with much regret: one was, that no one had as yet been punished for the massacres; the other, that His Majesty had not yet issued the promised Hatt. || The Sultan, replying only to the latter of these observations, said that deeds were more important than words or Proclamations; he would communicate to me through the Porte his reasons for not publishing a Hatt. He had repeatedly stated that he would execute the reforms; he was an obstinate man, he said, and having once taken a determination he intended to carry it through. I continued, however, to press the point, and said that, in the opinion of Her Majesty's Government, the promulgation of the Hatt was necessary for three reasons: (1) to convince the Powers of His Majesty's sincerity; (2) to convince the Armenians they were really to have reforms; (3) to convince the Moslems that the reforms contained nothing injurious to their interests. The Sultan replied that he would instruct his Ministers to give me explanations respecting the second and third points, which he hoped would convince me that his refusal to publish a Hatt was justified. With regard to the first point, the reforms had been officially communicated to all the Ambassadors, and it depended on them to inform their respective Governments of the determination he had expressed to execute them, and of the practical measures he was taking for this purpose. He then reverted to my second and third points, and observed that, in spite of what he had said, he would like to discuss them with me as a friend.

He then entered into a long historical disquisition with the object of showing that the issue of a new Hatt would be futile. He referred to the

Nr. 11038. Gross-britannien. 29. Nov. 1895.

Hatt of Gulhane, and the Hatt-i-Shereef of his father; the latter had been a bone of contention between the French partisans, Ali and Fuad Pashas, on the one hand, and Reschid Pasha, an English partisan, on the other, and, when finally promulgated, had led to much hostile feeling on the part of the Sheikh-el-Islam and other Moslem leaders. Yet, after all, the practical result had been small. When he came to the Throne, he had put into force some clauses of his father's Hatt; he had instituted a Parliament in which were a certain number of ignorant and childish people, and which had to be superseded. He had reformed the administration of justice and inaugurated a new Code. The present reforms were only an elaboration of the former Hatt-i-Shereef, and, in his opinion, there was no need to publish them in extenso. He had caused a notice to be put in the press that certain reforms would be taken in hand, and that was sufficient; a further publication would not carry conviction to any one. His object was to adopt the reforms in practice, and then people would learn what their nature was. || In reply, I still pressed the matter, and said that in every civilized country laws that were to be enforced were first published. It was, in the opinion of Her Majesty's Government, essential that the details of the reforms should be made generally known, that they should be published in every vilayet, and posted up in every Armenian village and house. || The Sultan replied he would explain the situation still further. He had intended to publish the reforms. They had been copied in extenso for the press, with references showing to which Article of the Law on the vilayets each clause referred. I had doubtless read a translation of the existing Laws, and therefore was aware that the scheme of reforms contained nothing new. || I replied I was well aware of this, and reminded His Majesty that some months ago, when he had asked me what the reforms we intended to propose were, I had told him they contained nothing which was not already in the Code. It was accordingly highly desirable that the public, both Moslem and Christian, should know this. The Sultan replied that, notwithstanding this, he had not ventured to make any publication. He would, however, again consult his Ministers and Saïd Pasha about the Hatt, and would let me know the result. He hoped I would be reasonable, and believe in the sincerity of the arguments adduced should the promulgation of a Hatt be again recognized as unadvisable. If I would examine these questions with an open mind, it would be greatly to the advantage of both Turkey and England.

I then touched upon the question of the "stationnaires," and expressed deep regret that His Imperial Majesty showed such unfounded suspicion of the intention of the Powers in demanding Firmans for additional vessels. || Under the Treaty of Paris they had a distinct right to two "stationnaires;" they had exercised this right on many occasions, and their sole object in claiming to exercise it now was to afford adequate protection to the foreign Colonies in case of need. Notwithstanding the assurances given by the Im-

perial Government that perfect security existed, the confidence which had been destroyed by recent events here and in the provinces could not be restored, and constant panics prevailed. || The Sultan replied that, as everything had been done to restore order, and as tranquillity now reigned, there was no necessity to press this point any more. Disturbances had, it was true, broken out at Constantinople, and been followed by others in the provinces, but there was now no further danger. His wish was to take advantage of the present calm to execute the reforms, and the step now taken by the Powers only rendered his task more difficult, and might provoke disorders. || "There is no danger," he said. "Has even one foreigner's nose bled either in the capital or in the provinces?" || I said I could not admit there was no danger. The step taken by the Powers was in the interests of Turkey as well as of the foreign subjects, for if an outbreak occurred here it might lead to the entrance of the fleets. || The Sultan answered that every measure had been taken to insure order, that the greatest vigilance was exercised wherever Europeans dwelt, and that, though ordinary crimes might be committed, as in London, Paris, and every city of the world, a revolt was improbable.

He did not agree with the reasoning of the Ambassadors; they argued that the presence of the "stationnaires" would prevent an outbreak, but the Minister of Police and other authorities reported to him that it would probably provoke one. He hoped, therefore, that England would not insist on this step. || I replied that all the Powers were absolutely agreed on its necessity, but the Sultan insisted that if England would abandon the idea, she was quite able to induce the others to follow her. He trusted I would telegraph to your Lordship his views on the subject, and that Her Majesty's Government would persuade the others to withdraw their demand. || I replied that His Majesty misjudged the situation; England did not stand alone in this matter, and the Powers were acting in strict concert; there was no intention of injuring His Majesty or the interests of the Empire. || The suspicions which seemed to fill His Majesty's mind must have been inspired by his enemies, with the object of bringing about a naval intervention. Although an attack on foreigners might not be probable, it was not impossible, and there could be no doubt that if such an event occurred the fleets would at once come to Constantinople to protect the lives of foreign subjects. The only guarantee against such an eventuality was the presence of the armed "stationnaires" which the Powers demanded. They did not require the vessels for the purpose of making a naval demonstration; their sole object was to restore confidence and assist His Majesty in maintaining order. I therefore, as a friend of His Majesty and of Turkey, earnestly begged him to let the ships pass the Dardanelles. They would come through one by one, and attract no attention; but I warned him that if the permission was refused the Powers were united, and resolved to carry the matter through. His Majesty said he would again consult his Ministers and Saïd Pasha, who had already been sent round to

Nr. 11038. Grossbritannien. 29. Nov. 1895.

the Embassies with a message on the subject. But in the meantime he begged me to support his request, that Her Majesty's Government should abandon the proposal. || I said I would report His Majesty's language, but that considering the instructions I had received, I could hold out no hope that Her Majesty's Government would alter their decision. Philip Currie.

Nr. 11039. **GROSSBRITANNIEN.** — Der Botschafter in Konstantinopel an den Minister des Auswärtigen. Uebersendet eine Mitteilung des armenischen Patriarchen über die Unruhen in Konstantinopel.

Constantinople, December 9, 1895. (Received December 16.)

Nr. 11039. Grossbritannien. 9. Dez. 1895.

My Lord, || I Have the honour to transmit herewith copy of a communication which I, in common with the other Embassies, have received from the Armenian Patriarch, stating that the Patriarchate has no information respecting a rumoured demonstration of Armenians at Constantinople, disclaiming all responsibility for such a demonstration, and requesting that the influence of Her Majesty's Embassy may be directed towards preventing the recurrence of the unhappy events which followed the last demonstration. || In acknowledging the receipt of the Patriarch's communication I have informed his Beatitude that the influence of Her Majesty's Embassy is unceasingly exerted for the object he mentions. Philip Currie.

Beilage.

Constantinople, le 25 Novembre (7. Decembre) 1896.

M. l'Ambassadeur, || Il nous a été fait part d'un bruit parvenu aux Ambassades d'après lequel les Arméniens prépareraient une manifestation à Constantinople, et il nous a été demandé de faire ce qui serait necessaire pour la prévenir. || Considérant d'une part qu'avant les incidents du 18 (30) Septembre, une recommandation semblable nous a été faite par la Sublime Porte et que sans tenir compte de notre réponse, on a cherché à faire retomber sur nous les responsabilités, de l'autre, que ces incidents ont servi de raison aux horribles massacres accompagnés de pillage et d'incendie qui se continuent encore dans les provinces, nous regardons comme le devoir sacré de notre conscience et de notre mission de prier votre Excellence qu'elle veuille bien considérer que sauf les rumeurs en question, nous n'avons aucune information touchant les préparations d'une manifestation quelconque, ni ses auteurs, et si malheureusement le bruit communiqué est fondé, nous exprimons le regret que nos moyens seuls, purement moraux, ne suffisent nullement, eu égard surtout aux douloureuses conjonctures actuelles, à amener le résultat désiré. || Il incombe aux autorités de remplir leur devoir avec la prudence et la sagesse nécessaires pour qu'il ne se produise rien de contraire à l'ordre et que, pardessus tout, les désastres qui ont frappé la nation ne se renouvellent pas. ||

Pour nous, nous implorons de votre Excellence la grâce d'user de sa haute et tutélaire influence pour prévenir le retour de nouveaux malheurs. || Invoquant des bénédictions, &c. Le Patriarche des Arméniens de Turquie. Madtéos.

Nr. 11039. Grossbritannien. 9. Dez. 1895.

Nr. 11040. GROSSBRITANNIEN. — Derselbe an Denselben. Vorschlag eine internationale Kommission zur Prüfung der Unruhen in Kleinasien einzusetzen.

Constantinople, December 10, 1895, 10.20 p.m. (Received December 10.)

Telegraphic. || At to-day's meeting of Ambassadors, I insisted on the necessity of something being done with regard to the massacres and pillage in Asia Minor. || I proposed that we should recommend our Governments to appoint an International Commission, which should proceed to the spot, investigate what has taken place, arrange for the restitution of the plunder to the rightful owners, and point out the guilty for punishment. || In the subsequent discussion of my proposal, my views were supported by some of my colleagues. Others considered that they had no authority to discuss the question. || After a lengthy discussion, it was agreed that we should draw up a Tabular Statement in common from the information in the possession of the various Embassies.

Nr. 11040. Grossbritannien. 10. Dez. 1895.

Nr. 11041. TÜRKEI. — Mitteilung an die Botschaften, dass die Pforte die zweiten Stationsschiffe genehmigt.

December 11, 1895.

Un Iradé Impérial autorise le passage par les Détroits des seconds stationnaires que les Ambassades ont demandé à faire venir à Constantinople, à la condition que leur séjour ici sera provisoire, et que leurs formes, forces, et dimensions seront les mêmes que celles des bâtiments qui stationnent déjà dans la capitale, et lesquelles ont toujours été, d'après les Traités et suivant l'usage, bien définies. || Il va sans dire que cette autorisation spéciale ne devra affecter en aucune manière le droit du Gouvernement Impérial, consacré par les Traités, au sujet de la fermeture des Détroits du Bosphore et des Dardanelles aux bâtiments de guerre étrangers, droit qui est et demeure comme par le passé strictement intact. || Il va sans dire également que les seconds stationnaires en question ne franchiront pas en bloc les Détroits, et que chacun d'eux devra entrer isolément et à des époques séparées, après que les Ambassades auront, suivant l'usage, présenté à la Sublime Porte les listes des noms, dimensions, et autres des bâtiments précités, et obtenu chacune le Firman d'autorisation de son navire.

Nr. 11041. Türkei. 11. Dez. 1895.

Nr. 11042. **GROSSBRITANNIEN.** — Der Botschafter in Konstantinopel an den Minister des Auswärtigen. Beratung der Botschafter über die Verhinderung der Greuel in Armenien.

Constantinople, December 11, 1895. (Received December 16.)

Nr. 11042. Grossbritannien. 11. Dez. 1895.

My Lord. || In continuation of my despatch of the 8th instant, I have the honour to state that at the meeting of Ambassadors which was held at the French Embassy yesterday, I called the attention of my colleagues to the continuance of massacres and pillage in the provinces of Asia Minor, and asked whether, in their opinion, we were not bound to take some steps to put an end to such a state of things. || The Austrian Ambassador spoke in favour of a discussion of the question. || The Italian Ambassador followed in the same sense. || M. de Nélidoff was strongly pressed to state his views, and, while admitting the gravity of the situation, said the only suggestion he could offer was that we should press the Porte for a reply to the communication made by the Ambassadors more than a month ago, and should ask what steps were being taken. || I pointed out that such a representation would have no satisfactory results, that we should only receive in reply the usual denials and fictitious accounts of the events which were taking place. || I urged the necessity, for our own credit, and that of our Governments, of taking some more decided steps. The fact that the six Ambassadors were acting in concert had been widely proclaimed, and public opinion would, I thought, look for some result of our co-operation. || The only means, in my opinion, of exercising any control under existing circumstances was by the presence of Europeans on the spot; the salutary influence exerted by the Consuls proved this; and I cited the cases of Mush and Van, where, owing mainly to Messrs. Hampson and Hallward, there had been no outbreaks. || I suggested that we might recommend to our Governments the appointment of an International Commission, which should make an investigation on the spot, should point out the persons responsible for the massacres with a view to punishment being inflicted on them, and should devise means for restoring to those who had been robbed such property as could be recovered. || M. de Nélidoff replied that a proposal such as I had suggested could not properly be recommended by the Ambassadors, but must be initiated by the Cabinets. He added that, so far as he was concerned, his instructions did not authorize him to act in concert with the other Ambassadors for any purpose except that of securing the safety of the foreign colonies in Constantinople and its neighbourhood. He admitted that the presence of an International Commission would be beneficial if it could be carried out, but he saw great difficulties in the way, especially at this season of the year. He added, however, that if Her Majesty's Government were on my suggestion to make a proposal to the Cabinets, it would, no doubt, be referred to the Representatives here, who would then be at liberty to discuss it with their colleagues. || On the

suggestion of M. Cambon it was agreed that a tabular statement of the places where massacres had taken place, with the numbers of those who were believed to have perished, and such particulars as we possessed of the conduct of the authorities, should be drawn up. For this purpose it was arranged that one of the Secretaries of each Embassy should be deputed to meet his colleagues, and that all the information in the possession of the various Embassies should be combined in one document, which would serve as a basis for further communication to the Porte. || Beyond this co-operation in setting forth the facts, it is clear that there will be no concerted action of the Ambassadors in regard to the troubles in Anatolia unless your Lordship should see fit to make some proposal to the Powers. Should the plan I have suggested meet with your approval, it would at any rate serve as a basis for discussion. || There may be insurmountable difficulties in carrying it out, but the mere mention of it would have a salutary effect, and might induce the Sultan to take more effective measures than he has hitherto done for the restoration of order and security. || It must be borne in mind that since the commencement of the disturbances in the Asiatic provinces no Turkish officer, civil or military, has been punished for the outrages inflicted on the Christians. Some few officials have been dismissed in consequence of our representations, but they have been subsequently appointed to other offices, or have had decorations conferred upon them. || There can be no doubt that there will be a terrible loss of life by starvation if steps are not promptly taken to provide the destitute population with necessaries, and to restore the property of which they have been plundered. Philip Currie.

Nr. 11042. Grossbritannien. 11. Dez. 1895.

Nr. 11043. **GROSSBRITANNIEN.** — Die Botschaft in Petersburg an den Minister des Auswärtigen. Die russische Regierung hat das zweite Stationsschiff energisch verlangt.

St. Petersburgh, December 13, 1895. (Received December 13.)

Telegraphic. || I am informed bei Prince Lobanoff that M. de Nélidoff's communication to the Sultan with regard to the "stationnaire" Firmans did not differ from the representations made throughout by the Ambassadors on this subject, except that it probably carried additional weight as a personal message from the Emperor. || The following is the substance of the message: || "Beginning by expressing his great regard for the Sultan, the Emperor stated that although it was in no way for him to dictate what course His Majesty ought under present circumstances to pursue, still he could not refrain, as a sincere friend and well-wisher of His Majesty, from advising him strongly not to persevere in his present course of action, as by doing so, he would be sure to lay himself open to considerable difficulty and vexation. It was the Emperor's hope, therefore, that the Sultan would find it possible to yield in the question of the Firmans for the passage of the second "stationnaires".

Nr. 11043. Grossbritannien. 13. Dez. 1895.

Nr. 11044. GROSSBRITANNIEN. — Der Minister des Auswärtigen an die Botschaft in Petersburg. Armenier sind zum Uebertritt zum Islam gezwungen worden.

Foreign Office, December 13, 1895.

Nr. 11044. Gross-britannien. 13. Dez. 1895.

Telegraphic. || A Telegram has been received from Her Majesty's Vice-Consul at Mush, through Her Majesty's Ambassador at Constantinople, stating that he hears on reliable authority that the greater part of the surviving Armenian villagers in Saird, Chabakcher, and some districts of the Vilayet of Diarbekir, have been compelled to become Mussulmans. || I request you to inquire of Prince Lobanoff whether any similar intelligence has reached him, and whether it would not be desirable, in his opinion, that the Ambassadors at Constantinople should make some joint remonstrance against these forced conversions, which are entirely contrary to the professed wishes of the Sultan, and which, when they become known in this country, will arouse a very strong feeling.

Nr. 11045. GROSSBRITANNIEN. — Die Botschaft in Petersburg an den Minister des Auswärtigen. Unterredung mit Fürst Lobanoff über die erzwungenen Konversionen.

St. Petersburg, December 16, 1895. (Received December 23.)

Nr. 11045. Gross-britannien. 16. Dez. 1895.

My Lord. || Immediately on the receipt of your Lordship's telegram on the subject of the forced conversion of Armenian villagers in the Vilayet of Diarbekir, reported by Her Majesty's Vice-Consul at Mush, I called upon Prince Lobanoff and asked him, in accordance with your Lordship's instructions, whether he had received similar intelligence. His Excellency replied that he had heard nothing on the subject. || I then informed him that your Lordship would be glad to learn the views of the Imperial Government as to a joint remonstrance on the part of the Powers against such proceedings. || His Excellency answered that, before any joint remonstrance could be made, it would be necessary that the facts should be fully verified, which appeared to him a very difficult matter. || I then expressed to his Excellency the hope that he would authorize me to inform your Lordship that in the event of the report being corroborated the Imperial Government would join in a remonstrance on the subject to the Ottoman Government. || His Excellency replied that although he was in favour of interfering as little as possible in Turkish internal affairs at present, he saw no objection to joining in the proposed remonstrance, so long as the forced conversions alleged to have taken place were fully proved and the other Powers were agreed on the subject. He added, however, that he thought the best plan would be to place the matter in the hands of the Ambassadors at Constantinople, who were in a position to inquire into the truth of the report, and to decide whether a joint remonstrance was necessary.

W. E. Goschen.

Nr. 11046. GROSSBRITANNIEN. — Der Minister des Auswärtigen an die Botschaften in Paris, Berlin, Rom, Wien. Frage der erzwungenen Uebertritte zum Islam*).

Foreign Office, December 16, 1895.

Nr. 11046. Grossbritannien. 16. Dez. 1895.

Telegraphic. || A Telegram has been received from the British Vice-Consul at Mush, stating that he hears on reliable authority that the greater part of the surviving villagers of the districts of Saird and Chabakchor, and some portions of the Vilayet of Diarbekir, have been compelled to adopt the Moslem religion. || Such forced conversions would be entirely contrary to the declarations made by the Sultan. || I have communicated on the subject with the Russian Minister for Foreign Affairs, and he suggests that the Ambassadors of the six Powers at Constantinople should be authorized to take steps to verify the report, with a view to a joint representation being made to the Porte if confirmation of the fact is received. || I shall be glad if your Excellency will request the Minister for Foreign Affairs to send instructions in the sense suggested.

Nr. 11047. GROSSBRITANNIEN. — Der Botschafter in Konstantinopel an den Minister des Auswärtigen. Frage der Einsetzung eines verantwortlichen Ministeriums.

Constantinople, December 18, 1895, 10.30 a.m. (Received December 18.)

Nr. 11047. Grossbritannien. 18. Dez. 1895

Telegraphic. || There is now a greater disposition on the part of some of my colleagues to recommend that pressure should be exerted for the establishment in Turkey of a responsible Ministry. || They insist strongly on the importance of carefully preparing the ground before any definite proposal is made. || As a first step they will, I hope, write to their Governments recommending that instructions shall be sent to the Ambassadors at Constantinople to consult together and propose some remedy for the existing state of disorder, which if left uncontrolled must lead to a breakdown of the entire machinery of government, and to a reopening, in an aggravated form, of the Eastern question.

Nr. 11048. GROSSBRITANNIEN. — Der Botschafter in Konstantinopel an den Minister des Auswärtigen. Allgemeine Lage in der Türkei.

Constantinople, December 19, 1895. (Received December 24.)

Nr. 11048. Grossbritannien. 19. Dez. 1895.

My Lord, || I Regret to say that I am unable to report any improvement in the state of affairs here. || The Ministry appointed after the fall of Kiamil Pasha remains in office, but appears to exercise no control over the affairs of the Empire. Such orders as are given emanate directly from the Sultan. ||

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*) Die deutsche und österreichische Regierung erklärten sich am 17. zur Unterstützung gemeinsamer Vorstellungen an die Pforte bereit, die französische am 19. Red.

Nr. 11048. Gross-britannien. 19. Dez. 1895.

The accounts from the Atsiatic provinces show that the ravages of the Kurds continue unchecked. The perpetrators of the massacres remain unpunished, while innocent Armenians are committed to prison on frivolous charges. || The Redifs who have been called out are an undisciplined body. The Treasury is unable to find money for them, and, instead of restoring order, they will only swell the ranks of the plundering mob which prey upon the unfortunate population. || At Zeitoun the Turkish troops are closing round the Armenians, and if the resistance of the latter is overcome, it is feared that the whole population of the district will be exterminated. || Disturbances have commenced in Crete, and are threatened in Macedonia. The financial situation is going from bad to worse, and it is to be feared that by next spring the Turkish Government may find itself unable to cope with its difficulties. || This condition of affairs would appear not only to justify, but to call for interference on the part of the Treaty Powers, in order to obtain the restoration of order and to prevent further disturbances, which would be dangerous to peace. But, unfortunately, the concert of the Ambassadors, so far as the Russian Ambassador is concerned, is limited to the protection of foreigners, and M. de Nélidoff does not consider himself authorized to enter into discussion with his colleagues as to the general state of the Empire. || I have had many converstaions with my other colleagues, who appear to be strongly impressed with the critical position of affairs, and I have suggested that if we were, each of us, to report our opinions to our Governments, they might possibly, if they concurred in our views, be able to induce the Russian Government to modify to some extent their present attitude. || I habe drawn up the following statement, in order to show the limits within which my colleagues would appear to be inclined to act on my suggestion: || "The disorders and discontent which exist in all parts of the Ottoman Empire and in all Departments of the Administration are likely, if some means are not found to remedy them, to lead before long to a breakdown of the machinery of Government, and so to re-open the entire Eastern question. The Sultan seems powerless to bring about an improvement, and the men who surround him are too corrupt or incapable to act on his behalf. Is is clear, therefore, that unless some influence is brought to bear from without, Europe is exposed to serious risk. || "Under these circumstances, if the Powers of Europe are agreed that something ought to be done, the best course would appear to be that they should instruct their Ambassadors at Constantinople to exchange views as to the nature of the remedy which they could jointly recommend to their Governments." || It will be seen that the recommendation goes no further than a suggestion that the Ambassadors should be authorized to consult together, and to report to their Governments the result of their exchange of opinions.

Philip Currie.

Nr. 11049. GROSSBRITANNIEN. — Der Botschafter in Konstantinopel an den Minister des Auswärtigen. Beschwerde wegen der Kontrollkommission.

Pera, December 24, 1795. (Received December 30.)

Nr. 11049. Grossbritannien. 24. Dez. 1895.

My Lord. || With reference to my despatch of the 24th December, I have the honour to state that I met my Russian and French colleagues on the 24th instant in order to discuss the steps that we should take with a view of having the Commission of Control placed on a proper footing. || As it appeared evident that the Porte was neither willing nor able to deal with the matter, we decided to make a direct representation to the Sultan through his First Secretary. || We have accordingly instructed our three Dragomans to call together on Tahsin Bey, and, after informing him of the unsuccessful communications which they have made to the members of the Commission and to the Porte, to request him to call His Imperial Majesty's immediate attention to the following points: || 1. The nomination of a President of the Commission. || 2. The enlargement of the powers of the Commission, so as to make it in fact what it is in name, a Commission of Control. || 3. Authority to be given to the Commission to communicate direct with the local authorities and not, as at present, with the Ministry of the Interior. || 4. That the Judicial Inspectors sent to the provinces be instructed to cause judicial inquiries to be held into recent events. || 5. That the instructions given to Shakir Pasha be communicated to us. || 6. That a Christian Muavin be at once attached to Shakir Pasha.

Philip Currie.

Nr. 11050. GROSSBRITANNIEN. — Der Botschafter in Wien an den Minister des Auswärtigen. Graf Goluchowski ist der Einsetzung eines verantwortlichen Ministeriums abgeneigt.

Vienna, December 26, 1895. (Received December 26.)

Nr. 11050. Grossbritannien. 26. Dez. 1895.

Telegraphic. || I have been informed by Count Goluchowski that he has received Baron Calice's report of the discussion on the subject of a responsible Ministry, which had taken place at Constantinople between the latter and his English and French colleagues. || It is still Count Goluchowski's conviction that a question of such importance can only be approached with safety if all the Powers are unanimous on the subject; such unanimity he thinks impossible to obtain at the present moment. || Although no reply has as yet been sent to Baron Calice, it is my conviction that Count Goluchowski will answer in the negative.

Nr. 11051. GROSSBRITANNIEN. — Der Botschafter in Konstantinopel an den Minister des Auswärtigen. Vermittlung der Konsuln in Zeitun.

Constantinople, December 28, 1895, 3,15 p.m. (Received December 28.)

Nr. 11051. Grossbritannien. 28. Dez. 1895.

Telegraphic. || In view of the fact that the Zeitounlis have not yet surrendered, it was decided, at a meeting of the Ambassadors this morning, that we should offer to the Porte the mediation of the Consuls at Aleppo. If our offer is accepted, we shall urge them to grant an armistice.

Nr. 11052. GROSSBRITANNIEN. — Der Botschafter in Wien an den Minister des Auswärtigen. Unterredung mit Goluchowski über die neuesten Misshandlungen der Armenier.

Vienna, January 1, 1896. (Received January 4.)

Nr. 11052. Grossbritannien. 1. Jan. 1896.

My Lord, || I wrote this morning to Count Goluchowski a private note, in which I briefly communicated to his Excellency the purport of your Lordship's telegrams of yesterday's date, respecting the massacre at Ourfa, and the selling of Armenian boys and girls by Circassians in the districts near Aleppo. I should have gone to speak to Count Goluchowski on this subject, but as it is New Year's Day, his Excellency had informed the Diplomatic Body that he would not receive. || He, however, immediately sent me word that he would come to the Embassy in the afternoon; and on his arrival began at once to express the concern with which he had learned from me this distressing intelligence, of which he had not heard from Baron Calice. In answer to my observation that your Lordship had instructed Sir P. Currie to endeavour to persuade his colleagues to join him in making earnest representations to the Porte, he said that Baron Calice would certainly, in virtue of the formal instructions long ago given him, associate himself with any joint action taken in this matter; and that he had indeed heard to-day from his Excellency that, after a meeting of the Ambassadors, communications had been made by all of them both to the Porte and to the Palace; probably, added Count Goluchowski, very much on account of these fresh horrors. || His Excellency went on to deplore that beyond making these representations the Powers can do nothing for the Armenians, of whom several thousands may now be computed to have perished by violence; while the rigours of winter, bringing famine, want of shelter and warmth, in fact, destitution in its most appalling shape, might be calculated to destroy many more before the return of spring. || In presence of this heartrending prospect, said Count Goluchowski, it is intelligible that numberr of humane people are revolted at the idea that Europe is powerless, and, regardless of consequences, would wish that action should be taken by some, or even by one of the Powers, to put a stop to the extermination of the miserable Armenians. But practical statesmen are bound to consider the situation from another standpoint, and to face the

certainty that the conflicting interests, which are only conciliated by the maintenance of the Ottoman Empire as it stands, would at once, if the latter were threatened by coercive measures, be brought into active opposition, with infinitely more calamitous results to humanity at large than even the savageries now being perpetrated on this wretched people. Edmund Monson.

Nr. 11052. Gross-britannien. 1. Jan. 1896.

Nr. 11053. GROSSBRITANNIEN. — Der Botschafter in Konstantinopel an den Minister des Auswärtigen. Die Pforte hat die Vermittelung der Konsuln in der Zeitunfrage angenommen.

Constantinople, January 2, 1896, 10.30 a.m. (Received January 2.)

Telegraphic. || Zeitoun. With reference to my telegram to your Lordship of the 31st December, I have just had a visit from the Foreign Minister, who informed me that the mediation of the Consuls at Aleppo is accepted, and that orders have been sent to suspend hostilities.

Nr. 11053. Gross-britannien. 2. Jan. 1896.

Nr. 11054. GROSSBRITANNIEN. — Der Botschafter in Wien an den Minister des Auswärtigen. Goluchowski ist gegen eine gewaltsame Intervention.

Vienna, January 14, 1896. (Received January 17.)

My Lord, || With reference to my despatch of the 1st instant, reporting Count Goluchowski's observations on the impossibility of risking a European war by undertaking coercive intervention in favour of the Armenians, I have the honour to state that his Excellency called on me yesterday afternoon, and that our conversation turned upon the same subject. || Count Goluchowski said that the prospect of the suffering through which the Armenians have passed, and which they have yet in all probability to undergo, is so terrible that pure humanitarians would naturally be prone to accuse those in whose power they believe it to be to prevent such misery of heartless cruelty, or at any rate of cynical indifference. || Considerations of this nature, however painful, must not, nevertheless, be allowed to outweigh the arguments against attempting armed intervention which he had so repeatedly adduced. No one can more clearly than himself perceive the horrors of the situation, nor feel more acutely the bitterness of the incapacity of Europe to ameliorate it. || I report this because I am anxious to do justice to Count Goluchowski, and to assure your Lordship that, in taking the line which he has followed, he is but adopting the policy which all his countrymen who are responsible for the direction of affairs approve, and which is urged upon him from sources the importance of which he is bound to respect. Edmund Monson.

Nr. 11054. Gross-britannien. 14. Jan. 1896.

Nr. 11055. GROSSBRITANNIEN. — Die Botschaft in Petersburg an den Minister des Auswärtigen. Unterhandlung mit Fürst Lobanoff über die Besserung der Lage in der Türkei.

St. Petersburgh, January 16, 1896. (Received January 20.)

Nr. 11055. Gross-britannien. 16. Jan. 1896.

My Lord, || I have the honour to transmit herewith a copy of a note in which, by your Lordship's desire, I communicated to the Minister for Foreign Affairs the substance of Sir P. Currie's despatch of the 19th December last, together with your Lordship's suggestion that, in view of the grave considerations advanced by his Excellency, the Ambassadors at Constantinople should be instructed to co-operate in devising some remedy for the existing state of things in Turkey. || In handing this note to Prince Lobanoff, I especially called his Excellency's attention to the fact that the proposed instructions were limited to an authorization to the Ambassadors to discuss the situation and report to their respective Governments any remedy which their united counsels and their intimate acquaintance with the country might devise for the amelioration of a state of affairs which was causing great uneasiness. || After reading the note, his Excellency said that your Lordship's suggestion required considerable reflection, and that he would send an answer to your Lordship, either through me or through the Russian Ambassador in London. || His Excellency, however, commenced a conversation on the subject, which was to the following effect. || In the first place, his Excellency said that things had quieted down in Turkey considerably, and that, with the exception of the affair at Zeitoun, nothing had recently occurred to justify the assumption that the Sultan's efforts to restore order would not be successful. I reminded his Excellency that the massacre at Ourfa was a very recent occurrence, and that with that terrible outbreak fresh in one's mind, it was difficult to regard the situation as very hopeful or to disregard the possibility of the recurrence of events of a similar nature. || His Excellency answered that, of course, everything was possible, but that he saw nothing to destroy his confidence in the "bonne volonté" of the Sultan, who was, he felt assured, doing his best. || I observed that, with every confidence in His Majesty's good intentions, it appeared clear from what had occurred that he was unable, probably from the reasons hinted at by Sir Philip Currie, to put them into practice, at all events with the rapidity that the urgency of the situation demanded. Under these circumstances, I felt convinced that his Excellency would share your Lordship's opinion that it was incumbent upon the Treaty Powers to do all they could to devise some means by which the causes of the Sultan's failure might, if possible, be removed, and the machinery of the Government be strengthened in such a manner as to minimize the risks which were a source of disquiet to the whole of Europe. || I added that the spring was not far off, and that I had learnt from his own lips that he felt much anxiety as tho what might occur during that season unless affairs became more settled. || His Excellency

said that he had felt, and still felt, anxiety on that head, and that he had consequently instructed the Russian Ministers at Bucharest, Belgrade, and Athens to lose no opportunity of impressing upon the Governments to which they were accredited the necessity of doing all in their power to maintain tranquillity in the districts under their control, and to let them know that any disturbance of the *status quo* would be viewed by Russia with great concern. He had also taken steps to let the views held by the Imperial Government on this subject be known in Sophia. || In speaking of the concert of the Ambassadors, he stated that he could not admit that it had been limited to the protection of foreigners, and gave, as an instance to the contrary, the reforms which had been imposed upon the Sultan by the joint action of the Powers, and more recently their mediation at Zeitoun. || I ventured to observe, in reply, that it was my impression that, subsequently to the discussions which had taken place amongst the Ambassadors of all the Powers respecting the measures to be taken for the safety of their nationals in the event of an outbreak at Constantinople, there had been a disposition amongst the majority of them to extend the discussion to the consideration of some means of ameliorating a situation which rendered such an outbreak possible, but that M. de Nélidoff had given his colleagues to understand that his instructions did not authorize him to do so. || Prince Lobanoff here remarked that in his instructions to M. de Nélidoff he had given his Excellency considerable latitude, but I did not gather how far that latitude extended. || His Excellency said, in conclusion, that he had lived some time at Constantinople, and that your Lordship, who had also been there, must know as well as he did what a hopeless, impossible task it would be to try and impose a system of government on Turkey different from the existing one. Parliament, representative government, responsibility of Ministers, may be excellent things in their way, but in Constantinople they would be mere words that conveyed no meaning to the Turkish mind. || I reminded his Excellency that some time had elapsed since he was at Constantinople, and that recent events showed that certain changes had taken place in Turkish feeling, to which he answered, "Turkey never changes".

W. E. Goschen.

Beilage.

Der englische Botschafter in Petersburg an den russischen Minister des Auswärtigen.

St. Petersburgh, January 3 (15), 1896.

Mon Prince, || In recently reporting to the Marquess of Salisbury upon the present state of affairs in the Ottoman Empire, Her Majesty's Ambassador at Constantinople expressed to his Lordship his regret that he was unable to record any improvement in the general situation. || The Ministry appointed after the fall of Kiamil Pasha had remained nominally in office, but appeared

Nr. 11055. Gross-britannien. 16. Jan. 1896.

to exercise no control over the affairs of the Empire. || The accounts furnished from Asia Minor both to his Excellency and his colleagues showed that the ravages of the Kurds continued unchecked, and that while the perpetrators of the massacres remained unpunished, innocent Armenians were committed to prison on frivolous charges. || The Redifs, who had been called out, were quite undisciplined; the Treasury was unable to provide the necessary funds for their pay, and instead of restoring order it was more than likely that they would swell the ranks of the robbers who prey upon the unfortunate population. || After alluding to the situation of Zeitoun, his Excellency added that disturbances had already begun in Crete, and were threatened in Macedonia; and that it seemed in the highest degree probable that by the spring the Ottoman Government would find itself unable to cope with its difficulties. || Under these circumstances Sir P. Currie expressed his conviction, which would appear to be shared by his colleagues, that the disorder and discontent which reigned in all parts of the Empire and in all Departments of the Ottoman Administration, must, unless some means be found to remedy them, inevitably lead, before long, to a general breakdown of the machinery of government, all the more that the Sultan appeared to be powerless to bring about any improvement, and that the men who immediately surrounded His Majesty were too corrupt and incapable to contribute to the task. || In such a condition of affairs it would, in the opinion of Her Majesty's Ambassador, appear to be not only the right, but the duty of the Treaty Powers to do their utmost to aid in the task of restoring order, and to prevent disturbances, the continued recurrence of which might eventually expose Europe to serious risk, and which, in any case, could not fail to keep alive the general state of suspense with regard to Eastern affairs. || The considerations advanced by Sir P. Currie have engaged the serious attention of Her Majesty's Government, who consider them to be of the gravest character; and in instructing me to submit them to your Excellency, the Marquess of Salisbury desires me to state that he feels that the responsibility incumbent on the Powers is very great if they do not make some effort to amend the calamitous state of things prevailing in the Ottoman Empire. || His Lordship is convinced, from recent experience, that pressure on the part of only some of the Powers, if any one of them is known to be dissentient, has no effect whatever upon the Sultan's counsels. His Majesty, in such conditions, feels himself safe, and he will not give way, whilst, on the other hand, His Majesty has not yet resisted any advice heartily tendered to him by the unanimous voice of the Powers. || Under these circumstances, the Marquess of Salisbury considers it of the highest importance that the Ambassadors of all the Treaty Powers at Constantinople should consult together, not only as regards the protection of foreigners in Turkey, to which their discussion in concert have hitherto been limited, but also as regards the general state of the Empire, with the object of devising some remedy, to be submitted to the consideration of their Governments, for the evils which

undoubtedly exist, and which, if unchecked, may possibly become a source of common danger to Europe. || His Lordship therefore desires me to express to your Excellency his earnest hope that a full consideration of these views may induce the Imperial Government to give instructions in the above sense to the Russian Ambassador at Constantinople. W. E. Goschen.

Nr. 11055. Grossbritannien. 16. Jan. 1896.

Nr. 11056. GROSSBRITANNIEN. — Der Minister des Auswärtigen an den Botschafter in Petersburg. Unterredung mit dem russischen Botschafter in London über die Politik in der türkischen Frage.

Foreign Office, January 29, 1896.

Nr. 11056. Grossbritannien. 29. Jan. 1896.

Sir, || The Russian Ambassador communicated to me on the 25th instant the substance of a despatch from Prince Lobanoff, in answer to the request, which I had made through you, that M. de Nélidoff should be authorized to join in consultation with his colleagues as to the present condition of the Turkish Empire, and the nature of the remedial measures to be recommended. || I inclose herewith, for your information, a Memorandum containing the purport of this communication. || M. de Staal called upon me to-day by appointment for the purpose of discussing it. || I pointed out to his Excellency that Prince Lobanoff had given to my words a meaning which they would not bear when he interpreted them to imply that we proposed a course of action which would be a breach of the IXth Article of the Treaty of Paris. || Whatever measures the Powers might ultimately resolve upon, the suggestion of Sir P. Currie, which I transmitted to him, only proposed that preliminary deliberation of the Ambassadors which was necessary before any common action could be agreed upon by the Powers. || The effect, however, of Prince Lobanoff's reply was clear enough. The Russian Government refused to sanction any course of conduct which might lead to a European interference with the internal affairs of Turkey. Prince Lobanoff was content to trust in the good-will of the Sultan to bring about an amelioration in the condition of his subjects, and preferred to abstain from exercising any further pressure upon his counsels beyond what could be described as friendly advice. || I recognized that in this view Russia did not stand alone among the Powers; and I was fully convinced that the evils which would result from any interruption in the harmonious relations of the Powers would far outweigh any advantage that could possibly be expected from isolated action. But I added that little, in our opinion, could be hoped from the negative and expectant policy on which the Russian Government relied. Salisbury.

Nr. 11056. Gross-britannien. 29. Jan. 1896.

Beilage.

Memorandum des russischen Botschafters in London an den englischen Minister des Auswärtigen.

I cannot enter upon an examination of the views expressed in Mr. Goschen's note in regard to the Ottoman Ministry which succeeded Kiamil Pasha, the supposed powerlessness of the Sultan to put an end to the present complications, and the incapacity and corruption of the men by whom he is surrounded. These views, which are taken from the reports of Sir P. Currie, concern subjects, which are matters of personal opinion. On the other hand, the picture drawn by the British Ambassador of the internal condition of the Ottoman Empire is unfortunately only too true; the continuation of the disorders in Asia Minor, the acts of brigandage committed by the Kurds, the want of discipline of the Redifs, the exhaustion of the Turkish Treasury, all these facts are also reported to us by M. de Nélidoff, and our officials on the spot. We do not, however, agree with the conclusions which the British Prime Minister draws from them. Lord Salisbury is of opinion that, in view of the dangers which such a state of things presents for Europe, it is her duty to seek a remedy for it, and that, for this purpose, the Powers should authorize their Representatives at Constantinople, to *concert together on the general state of the Ottoman Empire.* || The confidential relations which have never ceased to exist between the Representatives at Constantinople have at all times allowed them to exchange their views, and it does not appear to us that any special instructions are necessary to enable them to continue to communicate their impressions to each other. Lord Salisbury's idea evidently goes further, and, if I understand its true bearing, its consequence would be to produce a radical change in the position of the Powers at Constantinople as defined by the Treaties. The proposal appears to be for a direct interference in the internal affairs of Turkey, an interference which is distinctly forbidden by Article IX of the Treaty of Paris, and forbidden by implication by Article LXIII of the Treaty of Berlin. || This consideration alone would suffice to make us hesitate to agree to Lord Salisbury's proposal; but even if we put aside our scruples on this head, we should have so consider what would be the practical results of such an infringement of the principles of European public law. || It is certain, as any one who knows Constantinople will admit, that the news of the official deliberations, or rather, to use the right term, the conferences, which would be opened there on all the internal affairs of the Ottoman Empire, would not fail to spread amongst the public without delay, and that they would be looked upon as evidence of the imposition of a kind of guardianship on the Sultan, which would, of course, very much weaken his authority. I do not suppose that it can be the intention of the British Government to produce such a result, but it is not the less certain, and would be sure to lead to fresh disturbances and prepare the way for a series of surprises one more dangerous than the other. || Does this mean that we wish

to keep aloof from what is happening in the East? Far from us be the thought. But we are of opinion that, in view of the good-will now being shown by the Sultan in the introduction of the reforms obtained from him, it is desirable to assist him in this arduous task, to give him the necessary time, and to increase his authority and prestige in the eyes of the different rival populations which are subject to his rule. We think that it is only by acting thus that the Powers can effectively assist in restoring tranquillity in the East. Such a line of conduct assuredly does not preclude the Representatives from addressing to the Sultan any friendly and well-meaning advice which they may be in a position to offer, without in being necessary to modify in any way the practice established at Constantinople. Moreover, there is nothing to prevent this advice being unanimous, and in that case, in accordance with Lord Salisbury's wish, it will be all the more likely to be accepted.

Nr. 11056. Grossbritannien. 29. Jan. 1896.

Nr. 11057. **GROSSBRITANNIEN.** — Der Botschafter in Konstantinopel an den Minister des Auswärtigen. Totalbericht über die Verluste in den armenischen Unruhen.

Pera, January 30, 1896. (Received February 3.)

Nr. 11057. Grossbritannien. 30. Jan. 1896.

My Lord, || I have the honour to transmit to your Lordship herewith two copies of a Tabular Statement*) of facts connected with the recent disturbances in Asia Minor prepared by a Committee of Delegates from the six Embassies. || The object of this Statement is to give a succinct account of the events which preceded the massacres or disturbances in each town where they occurred, of the loss of life and property as far as the details, are known, and also of the attitude of the local authorities. || It is mainly based on a comparison of the Consular Reports addressed to the various Embassies. Some of the details, however, respecting the Vilayets of Sivas, Kharput, Adana, Diarbekir, and Aleppo are derived from Catholic priests and Protestant missionaries, not natives of this country, but their evidence was admitted only when they described events of which they were eye-witnesses, and when it was in harmony with the general tenour of the official Reports. || The number of victims has been entered only in those cases where there exist data for forming an accurate estimate. This was often found to be impossible, particulary in the case of villages respecting whose fate nothing was known except that the region in which they were situated had been devastated. For instance, there is no record of the loss of life in the country districts of Van, Kharput, or Diarbekir. The total loss, respecting which accurate information was obtainable, amounts to about 25000 persons, and, if we add to this the massacres respecting which there are no details, the estimate may be increased to a much higher figure. Philip Currie.

*) Hier fortgelassen. Red.

Nr. 11058. **GROSSBRITANNIEN.** — Derselbe an Denselben. Friedensschluss in Zeitun.

Constantinople, February 11, 1896. (Received February 12.)

Nr. 11058. Grossbritannien. 11. Fbr. 1896.

Telegraphic. || The Consuls have sent a collective telegram, stating that the conditions telegraphed to them by the Ambassadors have been accepted by the Zeitounli Chiefs. The following were the conditions which had been previously agreed to by the Turkish Government:— || 1. Both the Zeitounlis and any Mussulmans living in the valley are to surrender their arms of war. They are to be permitted to retain sporting guns, daggers, and revolvers. || 2. Grant of a general amnesty. || The few foreign members of the Hunchag Society will simply be expelled from Ottoman territory. Private persons may, however, institute prosecutions at common law against individuals to whom the amnesty applies. || 3. Remission of the arrears of taxes will be considered, and the demand for the re-building of the barracks will not be insisted upon. These concessions, however, are not conditions of the agreement, and must be asked as an act of grace from the Sultan. || 4. The appointment of a Christian to the office of Kaïmakam will be made in accordance with the provisions of the Act of Reforms. || 5. The demand made by the minority for the withdrawal of the Turkish garrison is declined. || The Ambassadors added that they considered the conditions acceptable; that they themselves were unable to give guarantees, but would ask for a declaration on the subject from the Porte. || An arrangement having been proposed by the Turkish Commandant for the future security of the refugees at present in Zeitoun, the Consuls have been authorized to come to an agreement with the Commandant as to its terms, and to supervise its execution.

Aegypten*).

Nr. 11059. GROSSBRITANNIEN. — Mr. Villiers Stuart an Lord Cromer. Bericht über die Entwicklung Egyptens seit 1882.

Ghezireh Palace, Hôtel Cairo, April 18, 1895.

Nr. 11059. Grossbritannien. 18. Apr. 1895.

My Lord. || In 1882—83 I had the honour of submitting to his Excellency the Marquis of Dufferin a Report on Reorganization in Egypt, which was quoted by his Excellency in his despatch to the English Government, and subsequently issued as a Parliamentary paper to the members of both Houses of the Legislature as "Egypt No. 7 (1883)." It occurred to me that it would be instructive to make a second tour of inquiry during this present season, more than twelve years after the investigation above referred to, visiting the same districts, and questioning the same classes of natives with a view of contrasting their present condition, after twelve years of British administration, with that which prevailed previously, and noting the progress achieved so far in carrying out the reforms then ascertained to be most urgently needed. || Amongst the abuses to be dealt with were those connected with— || Taxation. || Native Courts of Justice. || The prison system. || The corvée. || Irrigation. || Agriculture. || Sugar factory abuses. || There were also other subjects of inquiry, amongst them— || Village debts to usurers, and the temper of the population, &c. || With this view I proceeded to Middle and Upper Egypt, first traversing the Provinces of Ghizeh, the Fayoom, Beni Souef, Minieh, Guergeh, Keneh, Assiout, Esneh, and Assouan. || I visited a large number of villages, closely questioning the natives of all classes, going over their farms and examining their crops. On these occasions I was always accompanied by some of the peasants or by the village Sheiks, who stated their views on the subjects which most closely concerned them, such as irrigation, taxation, administration of justice, the corvée, and the land tax. || I also visited the prisons in several towns, and was shown over every part of them by the officials, as also some of the schools. I paid special attention to the question of irrigation, and rode or walked along many miles of the new or improved

*) Die folgenden Aktenstücke entstammen dem englischen Blaubuch. Egypt No 2. 1895. (7712).

Nr. 11059. Grossbritannien. 18. Apr. 1895.

canals. || I had opportunities of visiting the camps and barracks of the Egyptian army, especially that portion of it stationed at Assouan, and was shown through the tents of the men and the officers (chiefly native); the latter courteously gave me all the information I required. || I have thought it most convenient to submit to your Lordship, in the first instance, a summary of the results of my tour in Middle and Upper Egypt, and to attach to it subsequently, in the form of an appendix, the details of the inquiry, and the methods by which I arrived at the conclusions I now have the honour to lay before you. These notes may prove useful for reference, and as illustrating the facts upon which my conclusions are based. || It has been my aim throughout to depend as far as possible on native sources for my information, and to render my Report a reflection of the sentiments and views of the native population, verifying them, however, by personal observation. || I am aware that no facts I can state are new or unknown to your Lordship. || Still it may be useful to have before you the confirmation, from the inhabitants themselves, of the information submitted to you by European officials. || The general conclusion at which I have arrived from my inquiries in Upper Egypt is that, though much has been done, the condition of the people greatly ameliorated, and their worst grievances to a considerable extent redressed, yet much remains to be done. The effects of centuries of misgovernment cannot be effaced in a dozen years. || A couple of generations would be needed to enable the reforms already effected to take root and acquire permanence; were the country left to itself now, it would quickly relapse, the old grievances would be revived, the old abuses would be restored, the new lessons forgotten, and its last state might well be worse than its first. || Egypt would, in that case, become a standing reproach to us—a monument of failure. We should be placed in the unenviable position of the man in the parable who began to build but was not able to finish. || It is wonderful that so much has been accomplished within the short space of twelve years, especially in view of the political difficulties and the artificial obstacles which have been placed in our way. || Our hands have been tied by international compacts, designed, perhaps, partly for the benefit of Egypt, but which have proved her grievous misfortune. We have had to work in manacles and fetters. How much more would have been accomplished if we had had a free hand. || I may adduce, in illustration, the case of that work so all-important to Upper Egypt—its irrigation. It is comparatively poor, and will continue to be poor, because, for want of irrigation, its cultivators can only extract one crop a-year from the soil instead of two or three, as in portions of Middle Egypt and throughout the Delta; and that one crop is not the most profitable. || For instance, the peasants cannot raise cotton or sugar-cane, except to a very limited extent, by means of irrigation by hand ("shadoofs"), because their hand is not embanked; they are, however, tantalized by seeing splendid crops of both these profitable staples grown in their neighbourhood on the Daïra estates, where

the farms are embanked, and where steam pumps furnish plenty of water. The single harvest they can reap consists of wheat, or maize, or beans, and in a smaller way, onions or cucumbers and oil plants, but the average selling value of any one of these is below 5l. an acre. || The only profitable product they could grow, viz., tobacco, they are not allowed to grow now as they were formerly. || It results from the above causes that the land-tax, which is easily met where two or three crops per annum are raised, can only be met by these poor people at the cost of almost the entire clear profit of their farms. || But we are hampered in our efforts to rescue Upper Egypt from the poverty referred to by the necessity of obtaining the sanction of other European Powers before we can either avail ourselves of the surplus of 3 500 000 *l* accumulated by the able financial management of the existing British Advisers of the Egyptian Government, or resort to the alternative expedient of a loan, which, for such a praiseworthy and reproductive object, would be most favourably received on the Bourses of Europe, and could be obtained at a low rate of interest. || The compensation for falling prices, which the villagers suggest themselves, is the restoration of the privilege of growing tobacco. But it must be borne in mind that it was the establishment of the tobacco monopoly that rendered it possible to reduce the land tax in these very provinces by 30 per cent. || I am well aware that this is a difficult and complicated question, and has been under the careful consideration of the Ministry of Finance, and that men of great ability have gone deeply into the statistics bearing upon it. || I am also aware that it has been under your Lordship's consideration, and that, should it prove possible to make any concession to populur wishes, consistently with fiscal necessities, such concession will be made. || I shall not therefore venture to express any opinion on the subject, but have, nevertheless, thought it my duty to report the representions made to me by the villagers of Middle and more especially of Upper Egypt with reference to the privilege of growing tobacco. || One difficulty is the fact that the quality of native tobacco is inferior, and that no market can be found for is outside the Egyptian lower classes. || It is possible that the College of Agriculture may discover some means of improving its quality and rendering it marketable, for instance, the scarcity of phosphates in the soil, which is one cause of the inferiority, might be remedied by artificial manures. || The present tobacco monopoly produces a revenue of 900 000 *l.*, great caution therefore would be necessary in interfering with it. || There is another expedient for relieving the peasantry of Upper Egypt from taxation-excessive under present circumstances — and that is the equilization of the land tax and the abolition of the immunities enjoyed by the wealthy classes. I am aware that this reform is surrounded by great political difficulties owing to the influential position of the classes who enjoy these exemptions; another grievance, which has been dwelt upon again and again by the agricultural portion of the population, both of Upper and Lower Egypt, is the exemptions enjoyed by Europeans. || I have heard much of these

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from the natives, but have made little reference to their complaints on this score, as I am fully aware of the difficulties opposed to their redress, owing to the conditions with which our Administration is hampered at every step. || Nevertheless, there have been some reforms in this direction, for instance, Europeans now pay house tax, which they did not do a few years ago. || I visited Egypt repeatedly before the dual control and during the dual control, and can state that the grievances which have been reformed by us all continued to exist under the dual control. || Unjust taxation, the levying of which bristled with wrongs and oppression. The horrors of the prisons, the corrupt administration of justice, the abuses and cruelties connected with the corvée, the application of forced labour to the sugar factories and to the private purposes of the wealthy and influential. || These evils, and many more which I could quote, continued to thrive and flourish until we undertook the work of reform, since then the worst of them have been remedied. || Taxes are collected honestly and with a humane consideration for the convenience of the people. || The prisons are managed well and on sound principles. || Justice is administrated with much greater impartiality than before, and is no longer at the service of the highest bidder. || The corvée is limited to its legitimate purposes, but still needs some reform. || The finances are managed skilfully, and their condition to-day presents a striking contrast to that which prevailed twelve years ago. || This is attested by the splendid surplus in hand and by the low rate of interest which the Egyptian Debt now pays. || Who would have believed during the last decade that Egyptian Unified Stock would ever come to be quoted above par! In June 1882 they stood at 52.

The Administration of Justice.

This reform, so grievously needed and of such vital importance for the regeneration of Egypt, is being carried out with great ability and courage under the auspices of the British Judicial Adviser. The Department which most concerns the mass of the population of Egypt is that of the native Courts. || A dozen years ago Justice in these was a figure of speech—its aptest emblem, not the scales but an open palm—and the poor man pleaded in vain. || Now this grievance is to a great extent remedied, and there were few subjects on which the natives were more unanimous than that they no longer had any cause of complaint in this connection. || On pp. 16 and 17 will be found details of the mode of procedure in what I may call Petty Sessions cases, a category under which comes the great bulk of the litigation, &c., which concerns the agricultural population of Egypt.

Agriculture of Upper Egypt.

The methods of the farmers of Upper Egypt remain much the same as they were in the time of the Pharoahs, except in the case of the Daïra Sanieh estates, where irrigation by steam and steam-ploughing have taken the place of the shadoof and the shakkieh (water-wheel). || There are a few wealthy capitalists

who farm on a large scale or who undertake to irrigate lands on condition of receiving half the crop in return for their good offices. || The Daïra Sanieh estates may be regarded as model farms, giving the most valuable practical illustration of all to the peasantry of how to farm on scientific principles. || In this way they render an important service and constitute so many training schools, instructing by example and keeping before the minds of the natives a higher standard of the art of cultivating their land to the best advantage. Within the last five years an excellent institution has been started at Cairo under British auspices, viz., a College of Agriculture. This may prove of immense importance to a people whose very existence depends on agriculture. || One purpose of it is to study the question of the best varieties of cereals and cotton to plant, and the best varieties of stock to rear, and to put the farmers in the way of obtaining them, by introducing them into the country.

Village Debts to Usurers.

The Sheiks, Mudirs, and others whom I questioned stated that this evil had abated because of the important reforms in the method of collecting the land tax, formerley that used to be exacted in advance of the harvest, thus compelling the peasants to borrow, paying interest for the accomodation at the rate of 60 per cent. per annum. || The land tax is now collected after the harvest, when the farmers have had time to realize the value of their crops. || Money is, however, still borrowed for the purchase of land, also for wedding expenses. || The entire domestic debt of all Egypt has, nevertheless, sunk from 10 millions sterling, at which it stood in 1883, to 7 millions. || The natives repeatedly dwelt on the vast boon it would be to them to have loan banks established advancing money at 12 per cent. on the security of the land or the crops. || They would regard 12 per cent. as a fabulously low rate of interest, and I am surprised that private enterprise has not long ago supplied this want in view of the splendid financial returns which are undoubtedly within reach, and await the founders of such an institution.

Temper of the People.

In all the provinces I visited, the villagers were unanimous in expressing their gratitude to us for having emancipated them from the oppression and misgovernment of former days, for having put an end to the plundering of the inhabitants by dishonest and unscrupulous tax-gatherers, for having brought justice within reach of the poor, and having put an end to the system of bribery and corruption in the native Courts, which had previously prevailed. || In those districts which have benefited by the irrigation works, which have been carried out within the last few years, they acknowledged the advantage they had derived from increased water supply along the high-level canals, Ibrahimieh and Bahr Yusûf, in many places being enabled to grow two crops instead of one. They also expressed gratitude for the reforms in the corvée. || They received us cordially everywhere, and no disaffection was perceptible—

Nr. 11059. Grossbritannien. 18. Apr. 1895. that is limited to Cairo and Alexandria, where it is artificially promoted, and exists chiefly amongst those who profited formerly by the misgovernment and abuses of the past.

Taxation.

Amongst the valuable and important reforms carried out under this head is the abolition of the sheep tax, the reduction to some extent of the land tax, the reduction by 40 per cent. of the Government salt monopoly, and the abolition of the compulsory purchase of salt. || The abolition in the case of the provincial towns of octroi market dues, which were very vexatious and much complained of. || In former years the peasants complained to me that after paying the date tax they had further to pay octroi duties on every part of the date palm when taking it to market, the midribs, the fibre, and the fruit. This grievance has been, at all events, abated, though not yet entirely abolished. || I am glad to hear that steps are being already taken to readjust the land tax. I am convinced that this is an urgent necessity in Upper Egypt, but knowing as I do the enormous difficulties in the way of any reform in this direction, I venture to express my admiration for the courage and energy of the British Administration in undertaking to grapple with this important question. || I have already referred to the valuable and much appreciated reforms carried out in the collection of the taxes. || I would venture to suggest a reform in the date tax to this extent—that they should not be taxed until they are in *full* bearing; they are now taxed when only just over 1 metre (French yard) high, or at 40 inches high. I am aware that a few precocious trees bear scanty crops at this early stage of their growth, but it would be good policy to postpone the collection of the tax until they are in full bearing.

Re-survey of Lands.

This important and most necessary operation has been undertaken by the Finance Department for the following reasons: — || 1. The land tax registers are often based on old surveys, made before the size of the feddan was legally fixed. This caused serious errors in the areas taxed. || In former times, when it was desired to exact an excessive tax from a district, fraudulent measuring rods (cassabas) were furnished to the employés. I may observe that the cassabar is the Coptic unit of lenght, and has been adopted as the legal unit of length in Egypt. The villagers were defrauded by shortening these rods, as well as by allowing fewer square cassabas to the feddan than the due number. || The areas thus obtained were in excess, often very much in excess, of the actual areas. || In 1813 Mohamet Ali fixed the feddan $333^1/_3$ cassabas, but it was not till 1851 that the legal lengths of the cassaba was fixed at 3.55 mètres. || Peasant proprietors were wronged also in another direction. Their land being taken from them for canals, embankments, railways, or other public purposes, but no allowance was made for the reduction of the holding, thus occasioned, but the same proportion of tax exacted as before.

2. Land is continually changing hands through deaths or sales. These transfers ought to be registered, but the natives are very unwilling to do this, consequently the land continues to pay in the name of people long dead, or in the name of previous owners who have long ago parted with their property. Endless confusion and difficulty is thus caused.

3. Improved irrigation has caused a large amount of land, previously desert, to be brought into cultivation, and the fact suppressed in order to keep the reclaimed tracts off the land tax registers.

4. A fourth reason for the survey, commenced a couple of years ago, but which will require a long period to complete, is the necessity of registering the State lands belonging to the Government, but still unpledged. || The very important work undertaken by the Finance Department is generally welcomed by the natives, because their accounts with the Government will thus be properly adjusted, and the errors of the old surveys eliminated, besides they secure by it a more certain title to their lands. (N.B.—Prior to 1880 the greater part of the people were theoretically only life tenants, but by the compensation given now on the abolition of the Law of Moukabalah, they now hold the land in fee simple.) Even the people who are cultivating Government lands, for which they do not pay taxes, are mostly in favour of the survey, since the Government sells them such lands at very moderate rate, and, after purchase, they can improve it without fear of confiscation; besides which, they have probably been paying heavy bribes to conceal the fact that they are cultivating the land. In cases where there is deficit in area, the excess tax is struck off. || The properly accredited and authorised officers are welcomed cordially by the villagers, for, previously, sham surveyors used to go about the country armed with measuring rods, and representing themselves to be Government employés, and would only leave each village on the payment of a liberal douceur, for the villagers stood in great dread of these pirates. || The advantage to the Treasury of this survey now in course of execution is very great in some districts, since the newly cultivated land is thus brought under taxation, and State lands are often discovered which do not appear in the registers. || It is a great satisfaction to all parties to have the position of affairs cleared up, and the old confusion and doubt done away with, and, in many cases, long-standing disputes settled. || As the work proceeds, the areas are mapped; these maps will prove of great value and are much needed. || This survey adds, therefore, one more benefit to the country, on the one hand, and to the Egyptian Government on the other, which has been conferred by the British Administration. || I may here observe that I have been very much struck by the amount of hard work got through daily in every Department. The Chiefs of Departments are no longer mere figure-heads, but look personally into every detail, and devote an amount of time and attention to their duties not always to be matched by officials at home.

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The Egyptian Army.

I was informed by the native officers that the present condition of the army is a vast improvement on the old state of things. || The camp I visited at Assouan was as well ordered and as systematic in its arrangements as regards tents, the men's kits, &c., and also in the perfection of its discipline, as the camp at Aldershot. || The officers told me that they got on very well with their English brother officers, adding that they were good comrades, but bad linguists.

Irrigation.

The immense improvement under this head I have already referred to. The achievements of the Public Works Department are a subject on which the British Administration may justly pride itself, they have resulted in the reclamation of tracts which were previously desert, and in enabling two or three crops to be raised annually were only one was raised before. || Details of these improvements will be found in the Appendix annexed to this summary, but a vast deal still remains to be accomplished. || As connected with the subject of irrigation and the question of the projected reservoirs at Philae, I visited this island in order to judge for myself of the effect of restoring the walls with which it was once surrounded and raising them to a sufficient height to keep out the water in case the scheme of a great reservoir at this point was carried out. I traced the foundations of the original wall in its entire circuit; it was about 700 yards in circumference. At one point there is a natural wall, already, of more than sufficient height, consisting of immense granite boulders; this formation might be imitated at intervals in the new wall so as to break its formal appearance, and give it a certain correspondence with Biggeh and the other islands around. || Within the inclosure there would be a distance of about 60 yards between the west wall and the temple, but considerably less on the east. || The chief temple faces south, and the space intervening between of the façade of the great Pylon and the southern extremity of the island, more than 100 yards in length, is disfigured with mounds of mud bricks, the relics of Arab and Coptic houses. || This could be levelled and planted with palm groves, or converted into a botanic garden; this would form a picturesque and artistic setting both for the colonnades right and left, and for the main temple itself. || Thus within the inclosure, so far from the monuments being spoilt, they would, on the contrary, be set off to advantage, and rescued from their present squalid surroundings, an important improvement. || Externally, the island would lose some of its picturesqueness, but not to the extent that might be supposed, for the palm groves and the higher portions of the temple would show above the inclosing wall, and Philæ would be more assimilated to the neighbouring islands. || There would be nothing inconsistent with ancient traditions in the wall itself; all Egyptian temples were surrounded with high walls and embankments, and Philæ was no exception; it would be simply a restoration,

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but an improved one. || The opposition to the scheme on the part of artists and archæologists is based on misconception, most of the opponents would be converted if brought to the spot and the effect explained. || The most important eclipse of the picturesqueness of Philæ would be while the reservoirs were full, but at that season it is not visited either by artists or archæologists, and as the level sank Philæ would emerge uninjured in every respect. || Whether Assouan be the best point for the reservoir is an engineer's business to decide, but, if it be, I have no hesitation in saying that the question of the Philæ monuments ought not to, and need not, interfere. The monuments would benefit rather than otherwise. I say this as an Egyptologist an jealous as any of my compeers for the conservation of every relic of the past. I met a well-known brother Egyptologist shortly afterwards who entirely agreed with me in my view.

The Daira Sanieh Sugar Factories.

When I visited those above Assiout, in 1883, I found that they were worked practically by slave labour, the men being there against their will, and imprisoned within the factory, their escape being prevented by sentries armed with thick sticks and stationed at each door. All the rest they obtained was on the pavement and amid the heat of the furnaces. || On the occasion of my recent visit this had all been reformed; the factory hands were paid regularly and well, and they engaged themselves voluntarily. Moreover, they had huts to rest in after their day's work was ended. || The management of the Daïra estates was admirably organized, and, as I have already stated, they constituted so many model farms. || Details of the sugar production and of the rotation of crops will be found in the Appendix.*)

The Prisons.

I inspected some of these, and was much struck by the revolution in their management since I visited them 12 years ago. || They are now as well conducted as any prison in England, and the sanitation and system seemed perfect. Details will be found in my notes on the prisons at Medinet-el-Fayoom and at Assiout; also at Assouan. || For the purpose of reference on this subject, I annex a narrative of my visit to the Province of Fayoom, in which your Lordship will find a description of its prisons.

H. Villiers Stuart (of Dromana).

Nr. 11060. GROSSBRITANNIEN. — Mr. Villiers Stuart an Lord Cromer. Fortsetzung des vorigen Berichtes.

Port Saïd, April 28, 1895.

Nr. 11060. Gross-britannien. 28. Apr 1895.

My Lord, || I have the honour to submit to your Lordship the second section of my Report, being the sequel to that on Upper Egypt already laid before you. Although the season was too late to make as exhaustive an inquiry in the Delta as in Middle and Upper Egypt, yet I visited portions of

*) Hier fortgelassen. Red.

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the Provinces of Menoufieh, Kalioubieh, and Sharkieh, also of Dakalieh. I saw some of the new canals, and also the important engineering operations at the Barrage, spanning the two main branches of the Nile, which terminate respectively at Rosetta and Damietta. These have resulted in holding up the waters, and in raising the river level above the dam many feet, so that the canals below are kept full, even at Low Nile. On occasion of my previous visit twelve years ago the cultivators complained that the canals ran dry prematurely, thereby much diminishing the produce of their lands and the quantity and quality of their crops. Native land owners whom I questioned stated that they had now no complaint to make on this score. They also admitted that many important reforms had been carried out since 1883 in the collection of taxes, the equitable adjustment of the corvée, the administration of justice, the abolition of the sheep tax, the suppression of the compulsory purchase of salt; the only drawback being the fall in prices of cotton and cereals, but this was partially compensated by the increased quantities which improved irrigation had enabled them tho raise. || The remission of the sheep tax had also been an important benefit to them, for sheep had the advantage of being able to consume the dryest stubble and straw, and by their means they were able to turn these to account. I may observe, as regards prices, that the changes are not all in the adverse direction. I can remember on the occasion of my first visit to Egypt many years ago that the price of a sheep was 4 *s.*; the present price is from 16 *s.* to 20 *s.* At the time I refer to the regulation price of a fowl was 1 *d.* or 2 *d.*; it is now fully five times that amount. On the other hand, clothes are cheaper now than they were then. Speaking generally, there can be no doubt that the population of the Delta is now far better off than formerly; one sees the evidences of this fact at every turn; they are better dressed, and they can afford better furniture, and the outward signs of prosperity are to be observed in every direction. The population has undoubtedly increased, and flocks and herds are more numerous than they were in 1883. Amongst the agricultural population of the Delta there is no wish for any change, nor any political restlessness; such symptoms are limited to certain classes in Cairo and Alexandria. I have failed to meet with anything of the kind in the provinces. Such disaffection as exists is to be found not amongst the agricultural classes, who form the great bulk of the population of Egypt, but amongst the small minority of the privileged classes, who formerly were the oppressors of the masses whom we have rescued from the misgovernment and corruption of the past. We have the gratitude of the victims, though the minority above referred to may not soon forgive us for having deprived them of the despotic power which they found so profitable. || A peasant proprietor in the Province of Menoufieh told me that he owned 22 acres of land between one of the canals and the river; he said he was able to raise three crops yearly, and to grow cotton — the canals were still full (at the end of April). || When I

visited this district in 1883, in December, the people were complaining of the scanty supply of water, a practical illustration of the valuable results which have followed the reorganization of the Barrage by our Public Works Department. A native who lives on the main channel of the river complained that so much water had been withdrawn for the supply of the canals that the Nile channel was very low. || The remedy for this, as for so many other evils, would be the construction of the projected reservoirs, which I referred to in my Report on Upper and Middle Egypt. || I passed through the Province of Kalioubieh. It is a vast plain, intersected by numerous canals; these were even at this late period (end of April) full of water, and, accordingly, the crops were rich and abundant. The cotton plants were just appearing above ground, and a large proportion of land was covered with that valuable product. It requires a great deal of irrigation; the new and improved canals supply this cheaply, and thus, with the more extensive crops and the smaller cost of cultivation, make up for the present lowness of price. This has all been rendered possible by the fact that the Barrage, so long useless, has been converted, by the skill and ability which has been brought to bear upon the undertaking by our Public Works Department, into an effective and most valuable machine for the irrigation of the Delta, the prolongation of the period of plentiful water supply, and the raising of the canals to a higher level. || When I visited this province in 1882 the constant complaint of the natives was that the canals ran dry prematurely, and that they were put to great expence in the hire of steam pumps to remedy this — the usual charge being 3 *l.* 10 *s.* per acre. The economy thus effected would go far to compensate the land-owners for the fall in price. || I observed a marked increase in the live stock in this province, and the inhabitants were well dressed and looked prosperous. They are well able to pay the land tax, which, in fact, constitutes their rent to the State, which is their landlord, and a very moderate rent it is in view of the fact that their land produces two main crops and a forage crop annually, these even exclusive of cotton, and supposing them to consist of wheat, maize, and clover in succession for the season, cannot be valued below 12 *l.* per annum. How happy would an English farmer be to pay a rent of, say, 1 *l.* 10 *s.* per acre for land making such a return; but cultivators in England have to meet onerous rates and taxes in addition to the rent, and are handicapped besides, as compared with the Egyptian peasantry, by the proverbial uncertainties of the weather. || The tobacco question is of no importance in the Delta, the only motive for wishing for the privilege of growing tobacco there is the desire to obtain cheap tobacco for their own smoking. || The forage crops in Kalioubieh are particularly rich, and the manner of turning them to account is to tether the live stock along the edge, and to lengthen their tethers in proportion as the clover and lucerne are fed off; the peasantry are thus saved the necessity of mowing the crops except such proportion as they wish to send to market. More-

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over, a certain amount of manuring results; this is of special value in the Delta.

Province of Sharkieh.

This province is furnished with numerous canals, including the so-called Bahr Moïse. Many of these canals are old, but the Board of Public Works has greatly improved them, and rendered them thoroughly effective. They have been fitted with regulating sluices. || This is a very important matter, for if the current on any canal is too slow, the fertilizing sediment is deposited in the channel instead of being distributed over the lands. Thus the latter are robbed of the manure which the Nile water ought to carry with it, while the canals themselves silt up fast owing to the precipitation of mud. Our engineers have erected on every canal regulators which obviate these evils; they have also raised their level, and thus greatly facilitated irrigation. || I conversed with peasant prorietors owning from 22 to several hundred feddans. In the last class were two Omdehs. They stated that, owing to the serious fall in the price of cotton and other farm produce, the land tax could not have been paid in many districts but for the improvements introduced by the English. These rendered it possible to plant a vastly increased amount of cotton, and to cultivate it at a cheaper rate, thus much mitigating the effect of low prices; even when steam pumps were used the higher level of the canals enabled the engines to work at lower power, and to use straw instead of coal. The reorganization of the irrigation system of this province has been carried out more especially under the auspices of the Under-Secretary of State for the Public Works Department (Mr. W. E. Garstin). || They said that the people fully valued and appreciated the reforms in the administration of the corvée, the collection of taxes, and the abolition of some of them; also the administration of justice, and the conscription, and gave the English full credit for them. || They confirmed my impression that the population had largely increased, and also that they were more prosperous. || As regards the administration of justice, they expressed themselves pleased with the recent measure recommended by Mr. Gorst, and adopted, which gave the Mudirs summary jurisdiction, within certain limits, in the class of cases which in England would be summarily dealt with by Justices of the Peace in Petty Session Courts. || They denied that any want of good-will existed towards the English; on the contrary, the people were much pleased with our reforms. They added that the inhabitants did not care by whom they were governed so long as they were well governed. || I questioned them as to the price of land, they said it varied greatly, and was affected by facilities for irrigation, nearness of markets, and other circumstances. In their neighbourhood it averaged about 45 *l.* per acre, but some land more favourably circumstanced sold as high as 100 *l.* per acre. || One benefit which the English had conferred upon them was the making of good roads, which facilitated the marketing of their produce. || They did not consider that village debts had de-

creased in the Delta. They said that money was borrowed at extravagant interest in order to buy land. || I visited the Government schools at Zagazig, and was much interested in the system on which they were managed. Primary and secondary schools are under the same roof. There was one class for English, and some of the boys read passages to me from English books. The schoolmaster questioned them from time to time to prove that they understood what they were reading. The walls of the main hall were hung with numerous coloured cartoons, illustrating various arts and sciences. Lectures are given on these, an excellent method of instruction. There is a special class-room in which the Mahommedan pupils are taught the Koran, and another for the Coptic pupils. || The town of Zagazig presented a most prosperous and thriving appearance, and far surpassed the provincial towns of Upper Egypt, as might be expected from the fact that the inhabitants of the Delta are much more well-to-do and better off. This disparity will vanish when as much has been done for Upper Egypt as has been done for the Delta. It would, in fact, be easier to get three crops per annum in Upper Egypt than in the Delta, because vegetation there is more rapid and the crops are harvested earlier. || I visited the offices of the Finance Department at Zagazig, and saw there a number of natives being instructed in engineering and land surveying. This branch of the Department is engaged in rectifying and verifying boundaries for land tax purposes. I tried to visit the prison, but the official in charge informed me that he had strict orders to allow no one to be shown over the establishment. I tendered a letter from his Excellency the Egyptian Prime Minister, but he said he had no authority to make any exception. I therefore failed to see the prison. I regretted this much, as I had visited the prisons in the Delta in 1882, and should have valued the opportunity of comparing their present condition with what it was then. I have no doubt, however, that the same reforms have been effected in this Department in the Delta as in Upper and Middle Egypt. I was glad to hear that a commencement had already been made in the Delta in the equalization of the land tax, and that the privileged classes were accepting the diminution of their privileges with a better grace than might have been expected. || The town of Zagazig has nearly doubled in size within the last twelve years, and has advanced greatly in all the outward signs of material prosperity. The same may be said of other provincial towns in the Delta. The above-named Provinces of Menoufieh, Kalioubieh, and Sharkieh are specially typical of the Delta. I also visited the Province of Dakalieh, but it differs much from the three above named, as it includes extensive tracts of desert, and is not therefore capable of furnishing any illustration of the general advance made in the Delta within the last twelve years. There is, however, a very perceptible improvement in the two towns in it which I visited. I think that the impressions I have recorded, and the facts I have stated as regards the Delta, leave no doubt of the vast benefits which have been conferred upon

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the Delta under British auspices. || Hoping that this narrative, coming as it does from a perfectly impartial and independent observer who has had a lifelong acquaintance with Egypt, may not be without interest, and may prove useful. H. Villiers Stuart (of Dromana).

Beilagen.

It may assist in rendering clearer the contrast between the present condition of Egypt and that which existed in 1882 if I append some extracts from the statements made to me by the natives in 1882 and 1883. My previous Report (1883) in which they occur is now out of print, and therefore not generally accessible.

Note 1. || The Administration of Justice before the British Reforms.

No. 4*). — *Statement of a Farmer in the Province of Menoufieh made to me in 1882 in reply to my inquiry.*

Q. How is justice administered in your district? — *A.* It is all by bribery: a poor man has no chance. If he is wronged, if it is a small debt, or if he has been maltreated, or beaten or robbed, there is a small local Tribunal; the constable of the village reports the case to the Mahmour (Nazir), and, if he deems it sufficiently important, reports it to the Mudir. If it is a land dispute, *e.g.*, about boundaries or successions, it goes to Tantah; three or four or five years may elapse before it is settled. If he has a buffalo or a cow, he must sell it to make presents for chief clerks and their subordinates, and even high officials. He is soon ruined. In other cases, which are reported by the constable to the Mahmour, and by the Mahmour to the Mudir, the man who can afford to bribe highest gets the most favourable reports. The decision of the Mudir is final, unless he himself chooses to refer the case to the Tribunals.

No. 5 — *Evidence of the Governor of a Town in the Province of Kalioubieh in 1882 as regards the Mixed Tribunals.*

December 21, 1882.

Q. What is your opinion of the Mixed Tribunals? — *A.* I think they ought to be abolished. They are very unpopular, because they inflict ruinous costs upon suitors. They have increased the despotic power of the usurers by abrogating the only protection the fellahs had against them. Formerly, no fellah could be deprived of his land unless he himself became a consenting party; now he can be sold up at the suit of the money-lenders. This is a double evil; it promotes the usury business, the remedy being so summary and security so certain, and it establishes in the heart of the fellah a wrong

*) The numbers perfixed to all the extracts are those which were attached to the series of statements of witnesses made in 1882 and 1883.

over which he broods. The old law ought to be restored. The change in the land law for which they are responsible, and the costliness of proceedings before them, more than outweighs in the minds of the people any good they have done. *It was owing to the influence of the French that the old land law was changed.* Then they favour the foreigners, and are biased against the natives.

N.B. — The mixed Tribunals were not a permanent institution, but were renewable; they are based upon French models. The highest British legal authorities in Egypt are inclined to favour a fusion of the Mixed Tribunals with the Reformed Native Courts, modifying the constitution of the latter by increasing the European element. But here again our international entanglements hamper this desirable reform, which, as may be gathered from the expression of opinion quoted above, would meet with general approval amongst native Egyptians. The "confusion worse confounded" in which the administration of justice in all Departments except the Reformed Native Courts is involved by the above-mentioned international entanglements, including the Consular jurisdictions, resembles a nightmare more than anything else; the Consular Courts alone are a miracle of complication, and constitute so many contrivances for the defeat of justice; but order would soon be evolved out of chaos if our present able Judicial Adviser had a free hand. Unfortunately, every step in the path of reform involves prolonged negotiation with more than a dozen European Powers, great and small, and the obtaining of the collective sanction of them all. The opposition of one or other of them is almost certain, either owing to the vested interests of their own subjects being affected, or for other reasons of international jealousy. || The objection of the natives to the Mixed Tribunals is that they facilitate the selling-up of the peasant proprietors by the usurers. || As a matter of fact, the creditor, through the medium of the Mixed Tribunals, brings about what is analogous to a sheriff's sale of his insolvent debtor's land. *This proceeding takes place far away at Cairo.* The ignorance of the peasant proprietor renders him helpless, and his land is transferred to the Christian money-lender in the absence of the victim often for a fraction of its value. — H. V. S., 1895.

In further illustration of the abuses in the administration of justice which we have abated, I annex a statement showing how natives formerly procured letters of naturalization for corrupt purposes only too easily. This evil has been checked since 1883. Steps have since been taken to render impossible such a manœuvre, as is described below.

No. 32. — *Statement of Mustapha Abdalla* (v. *Wasf-el-Kaiat*), *El Meteia, Province of Assiout.*

January 7, 1883.

While inspecting the townland attached to this village, a respectable-looking native came up and told me that the lands I was crossing belonged

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to him; that they amounted to 500 feddans; that he had been partner in it with another native, who got himself appointed Agent to the (Italian) Consulate; that he had then obtained letters of naturalization; that he had then claimed the whole 500 acres as his own about four years ago, half as his originally, and half as indemnity on various pretences, and had taken advantage of his fictitious nationality to throw the dispute into the Mixed Tribunal Courts; that he had taken possession of all the land and held it ever since. Complainant further stated that he had spent all his substance in fees to his advocate over the entire four years, and that the dispute was no nearer its termination than when it commenced; and as his Europeanized rival enjoyed all the advantages of success as he had the land and all that it produced, and as he further enjoyed as a *Civis Romanus* the favour of the Court, he had no motive in pressing for a decision, neither had the wellpaid advocate. He himself was helpless. || Of course, I have only heard one side of the story, but the details, if substantiated, would account for some of the charges brought by the natives against the Mixed Tribunals, as well as serving as an illustration of the way in which natives avail themselves of the Courts, which last in turn points to the fact of naturalizations by natives, in order to take advantage of them, as evidence of the popularity of the Courts in question.

Note 2. — The Corvée.

As an illustration of what forced labour meant in 1883, I may perhaps be permitted to quote a description of one of the scenes which I witnessed myself in that year.

Forced Labour in Upper Egypt, Province of Keneh.

January 15, 1883.

Wishing to witness with my own eyes the forced labour system in operation, I went to a place opposite the village of Ouled Ammer, where a new canal was being excavated. || A cut about 18 feet deep had been made through a conglomerate of sand and gravel; this trench was flanked right and left by high embankments, consisting of the debris excavated. || From the summit of these ridges to the floor of the canal was from 35 to 40 feet deep; along the bottom and on the slopes right and left men swarmed thickly, like bees on a honeycomb, for a distance of about a mile in length. || The overseer told me that the entire forced labour of the province was concentrated there, 40 000 men in all; that they worked from sunrise to sunset without intermission except a brief interval at midday for a meal consisting of bread soaked in unfiltered Nile water; this bread was sent them by their relatives, and they had a meal of it before commencing work and another at night. They have also to provide their own baskets for carrying the excavated soil; they were engaged in filling these baskets with gravel (using their fingers for the purpose), climbing the sides of the cut, and tipping them on the outher slope. The majority had no implements but their hands; a limited number had short

picks a foot long, which they also have to provide, Government contributing nothing whatever. || The day was excessively hot, and not a breath of wind. The temperature in my cabin, with all windows open, was 82 degrees in the shade; at the bottom of that trench it was much hotter, I should estimate it at 95 degrees. There was absolutely no shade. In this fiery heat and glare and amid much dust they toiled all day long. They were clad in calico, mostly reduced to rags by the work they were engaged in. They wore on their heads felt skull caps exactly like those represented as worn by workmen in 4th Dynasty bas-reliefs. They were barefooted. Their calico rags formed their only covering at night, and they slept on the bare ground in the open air without any kind of shelter, although the nights are often very cold. Amongst them were many overseers armed with sticks, with which they often struck the men while carrying loads on their heads, without any apparent reason. Many had sore fingers and sore feet, for there were sharp flints amongst the debris. || I have seen negro slaves at work on the cotton plantations of Cuba; I have also seen the convicts at work of Portland; the conditions under which all these laboured were greatly preferable to those to which these Egyptian fellahs were exposed, and it must be remembered that most of them own farms, and constitute, in fact, the Yeomanry of Upper Egypt. || What struck me most as I gazed on the toiling multitude was the pitiable waste of human labour, for one-fourth the number, with proper tools and appliances, and sufficient food, and with intelligent and experienced foremen to direct them, could have done the work far better and more quickly than the ill-directed efforts of that mob of men, without implements, weak from scanty diet, and exhausted by hardship. An English navvy would laugh at their work as excavators, but the conditions as to food, temperature, and exposure under which they work would kill him long before the month was out. Ophthalmia is one evil that results. I cannot imagine a better receipt for the wholesale manufacture of this malady than to work men to exhaustion in fiery heat, glare, and dust all day, and then to expose them all night to the heavy dew and frosty temperature, lying on the bare ground in their calico dresses. || It must not be supposed that because the Government pay nothing for it that therefore forced labour, as now conducted, is cheap. On the contrary, it is most costly to the country; every man there withdrawn from the cultivation of his farm represents a family by so much impoverished. || One-half the able-bodied population are engaged for between three and four months in the year in forced labour; the cost the Government incur is the pauperization of the people, and the reduction of their tax-paying capacity; but that is not the whole price. There are not men enough in Egypt to cultivate it properly, or to develop its resources fully; the Government, grudging the expense of food and implements, are *prodigal only in men*, the very article that most needs here to be economized; if they can save the cost of tools by setting four or five men to do the work which one man with tools

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and food could easily accomplish, they send the five men, and withhold the tools and food. I fear also that the sacrifice of men is not merely temporary; men cannot be exposed with impunity to the hardships which I witnessed; the constitutions and health of many must be permanently impaired, even their lives shortened; 20000 men are said to have perished in making the Mahmoudieh Canal, and I can well believe it after what I witnessed near Keneh. || It must be accepted as a fact that forced labour exists with the consent of the great mass of the people of Egypt. I have heard them complain of this or that tax, and suggest their abolition, and I have heard them complain of the unfair apportionment of forced labour to their district, but I have never heard one single person of any class suggest the abolition of the forced labour system; they admit it to be necessary, but it does not follow on that account that nothing can be done to reform its conditions. || The men should be supplied by Government with nourishing food. Two or three intervals for food and rest should be allowed in the day instead of only one. || Proper implements for excavating should be supplied to them. || Labour-saving machinery should be introduced where possible. || Skilled foremen should direct the works. The men should be divided systematically into gangs, each gang with its own task marked out, instead of the desultory fashions which now prevail, for they work in a mob, and every man is in his neighbour's way. || Some shelter ought to be arranged for the night if possible, or, at any rate, they should be supplied with a warm wrap, no matter how coarse; old sacks would be better than nothing.

Since the scene above described great reforms have been effected. Forced labour has, since 1883, been reduced to the narrowest limits consistent with the safety of vast tracts of country, viz., the watching of canal embankments during the few weeks of high Nile, and the warding off of any breach — to this extent it cannot be abolished. The population recognize this, but there is still room for reform in the directions suggested above. || As regards the excavation or deepening of canals — formerly effected by forced labour, as above described — that is now done by paid labourers. The term during which the peasants are kept away from their farms is thus greatly reduced, being limited to the critical period of highest Nile, during which the danger from breaches in canal embankments prevails. — H. V. S., 1895.

I conclude these notes on forced labour, as it existed still in 1883, by quoting the information elicited by me from some of the Headmen.

No. 47. — *Statements of Superintendents of Forced Labour, Farshoot Canal, near Dendera, Province of Keneh.*

January 15, 1883.

There are 40000 men at work here, all the forced labour of this province; they will remain at work now six weeks more, and then they will go

home; they will be called out again for two months in the summer. || This canal was begun twenty years ago, and is not yet finished; we deepen it a little every year. Those baskets you see the men using are furnished by themselves. Their friends must furnish them with food. Government supplies nothing whatever. They live on bread and water; they commence work at sunrise and continue at it till sunset; one hour's rest is allowed in the middle of the day for food; they breakfast before they begin in the morning, and sup after they have finished at night; they sleep on the ground in the open air.

N.B. — I was glad to observe in passing the Farshoot Canal last March that it is now completed and in operation. — H. V. S., 1895.

Note 3. || Abuses in connection with the Sugar Factories in Upper Egypt, which still existed in 1883, but are now entirely reformed.

I refer to this subject next to that of the corvée, because the wrongs in question grew out of the forced labour system.

No. 51. — *Statements of Native Factory and Estate Hands as to Forced Labour on Sugar Estates, above Assiout.*

We are taken by force to work on the sugar estates and in the factories. Not one of us would go willingly. We would all leave to-morrow if we could. Many have farms of their own; they are taken away from them, and the farms are neglected. Nominally we are paid P. T. $1^1/_2$ to P. T. 2 per day, but it passes through the hands of the Sheikhs, and they stop most of it on different pretexts, arrears of taxes, and what not. || Those of us who work inside the factory are kept there day and night. Each man works six hours at a time, and is then relieved, but he is not allowed to leave the factory lest he should run away. The work is carried on day and night for three months. The men off duty must sleep on the stone pavement of the factory, amid the noise and heat. Each man works twelve hours out of the twenty-four, in alternate shifts of six hours. || (N. B. — I had very great difficulty in getting this evidence, for the officials kept at my elbow the whole time, to prevent any conversation with the men; but I gave private instructions to some of my crew, whom I took with me as an escort, to question men, and the above is what they elicited. || While passing through the boiling-house of one factory a man advanced, covered with treacle to the elbows and knees, and complained to the Inspector that he had received no pay for many days; the Inspector summoned a clerk, who said: "Oh, he is in a category that receive no pay." The Inspector hastily ordered him to be paid, and he was given 3 piastres ($7^1/_2$ *d.*) and thrust away. I observed guards, armed with long stout sticks, posted at all the entrances.)

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As stated in my present Report, these serious grievances have entirely been removed, and no cause of complaint remains. — H. V. S., 1895.

Note 4. || Associated with the corvée, as tending to pauperize the villagers, was the compulsory purchase of salt, from which we have delivered them. I think it worth while annexing the statements of the peasants in two other districts, showing how it affected them, and constituted the last straw that rendered their burdens intolerable.

No. 45. — *Evidence of Villagers, District near Marajeh, Province of Keneh.* January 14, 1883.

The people were living in the most wretched hovels, and were clad in old sacks and rags, they were obviously ill-fed and wretchedly poor and destitute. Their story, as told by themselves, is as follows: — || We once all had land of our own. Most of us come from the neighbourhood of Esneh. We lost our land in the tim of Ismaïl Pasha; the taxes and exactions were so crushing at the beginning of his reign that we could not pay them; the arrears accumulated for four or five years, and then any one who could afford to pay our arrears was given over our land without further payment. || We lost our land fifteen years ago; since then we have rented land where we could get it. We have been here some years. We pay our landlord P. T. 200 per feddan per year, and $1^1/_2$ ardeb of the produce; this swallows up the first crop almost entirely, sometimes the whole crop does not suffice. || After the first crop we cultivate patches by means of the shadoof. We club together to do that; six of us work one set of shadoofs, one set waters two feddans if we work every day from sunrise to sunset; by this means we raise a crop of barley. But when we do this our landlord charges us P. T. 77 and $1^1/_2$ ardeb of barley additional rent. Besides these things we try to keep a few sheep, but we have to pay sheep tax on them. || Our landlord has to pay the land tax; he also protects us from forced labour, because if we were taken away for that we could not pay the rent at all. || At it is, we could just manage to live if it was not for the salt tax, but we have to pay that on every member of our families down to the smallest child, and that takes all that is left to us. We do not want salt; there is plenty of salt close by in the desert. || We could irrigate our land much better and more of it if the canals had wat in them, but they are dry; if they were deepened, there would be water in them always.

They took me to see two canals. They were both dry, but they had dug deep holes in the floors of the canals, and thus obtained water, which they were extracting by shadoof for the irrigation of their land. It was a burning hot day, but they toiled without intermission at their work from morning to night, and day after day, the only reward each man had in pro-

spect being the produce of one-third of an acre of bartey, the lions's share of which was to go to the landlord. || I have entered thus minutely into the circumstances of these poor people to illustrate how hardly the salt tax bears upon the most destitute class, and how cruel have been the consequences of the extortions of the past.

No. 46. — *Statement of Villagers of Ouled Ammer, Province of Keneh.*

January 15, 1883.

These were even more destitute than those of Marajeh; one family of eight were all naked, including the grandfather. They put on pieces of old sacks to hide their nakedness after I came. The only member of it who wore clothes was the mother, who had an infant at breast. They told me that they were forced to buy 18 lbs. of salt for this baby! One of the boys, they said, was an orphan, whose father and mother were both dead; he was adopted for charity. They pointed him out to me. He was about 7 or 8 years of age. They complained that they had to pay the salt tax on him as well as on all the others. || I inquired how it had come to pass that they were all naked. They stated that they had been compelled to sell their clothes to pay for the Government salt. || The villagers made the following statement: — || "Some of us rent our land, we do not all own it; our rent is one-third of the crop, and the land tax P. T. 125 per feddan. || "We have already harvested our dourra, and have planted with wheat as much of the dourra stubbles as we can manage to irrigate with shadoofs.

I inspected these patches of wheat. They were divided into little tray-like squares to hold the water conducted into them by channels from the shadoofs. These squares are called tarihas.

"Six men can water five feddans for the season, but half the men of the village have been taken away for forced labour at the canal works on the other side of the river. This is just the time they are most wanted here, so that we shall not have more than half a crop, about 2 ardebs per feddan (*i. e.*, the crop will be worth 2 *l.* per feddan; 13 *s.* 4 *d.* will go to the landlord, and 1 *l.* 6 *s.* 8 *d.* will remain to be divided amongst the shadoof men — under 9 *s.* a-piece). || "If we had a water wheel we could raise 5 ardebs per feddan, and cultivate much more in second crop; but where are we to get money to set up a sakiyeh? || "As we cannot irrigate the wheat properly it will mature very late. The Nile will overflow our land early in September, and the water will remain thirty or forty days. The dourra is put in immediately it retires, and is harvested in December."

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Note 5. Taxation.

No. 30. — *Statement of a Fellah, Village of Wasta, 3 miles from Siout, on opposite side of the river, Province of Assiout, Upper Egypt. (This must not be confounded with a town of the same name in the Province of Benisouef in Middle Egypt.)*

January 6, 1883.

I have 4 feddans, half-a-feddan is planted with palms. I and my neighbours would plant more but for the tax. I have thirty-three palms on half-a-feddan. I remember the time of Mehemet Ali. I paid 5 paras per tree then, now it is 3 piastres; every part of the tree is taxed; the leaves, the sticks (midribs), the husks, the fruit. || These are taxed at the entrance of the town where we take them to market (octroi duty*) || I pay P. T. 120 land tax; it was much lower in the time of Mehemet Ali.

The land tax has since been materially reduced in Upper Egypt. — H. V. S., 1895.

Q. When was it raised? — *A.* In the time of Ismaïl Pasha, at the beginning of his time. The people in my neighbourhood are much indebted to the Greeks; they pay more than twice as much to them as to the land tax. I can remember when there was no debt. It began in the time of Ismaïl Pasha; the taxes were too much, and they had to borrow. The Moukabala increased the debt. They pay 5 per cent. per month interest. || *Q.* Have the people not borrowed to buy new wives? — *A.* Some have. Only the rich have more than one wife. || *Q.* Is not this the cause of much debt? — *A.* (Vehemently.) No! no! no! It is the taxes of Ismaïl Pasha. We are too poor; we find it too hard to live to think of divorces and marriages and new wives. || I was so persecuted with forced labour that I was obliged to emigrate nine years ago.

No. 31. — *Evidence of the Villagers of Meteia, Province of Assiout.*

January 7, 1883.

Our townland contains 4500 feddans. It pays a land tax of P. T. 140 per feddan. It has no irrigation canals; in consequence of that we can only raise one crop annually, viz., immediately after the Nile retires. We grow onions, tobacco, maize (dourra), wheat and fodder crops; one or other of these, never two in succession. The cereal crops — indeed all the crops — are liable to damage or failure from the khamseen wind. We have to pay taxes all the same. We have printed papers acquainting us with the amount of land tax, but with reference to others collectors claim what they like. We have no safeguard against arbitrary exaction; if we do not pay we are beaten or imprisoned. They trade on our ignorance. Formerly matters were worse, for

* Jetzt in allen grossen Städten abgeschafft.

the Moukabala was exacted as well as the land tax; now Moukabala is abolished, we are not asked to pay it for the last three years. || Our cereal crops average from 2 to 4 ardebs. They would be greatly increased by irrigation; each crop would produce much more, and we could grow three times as many crops. || We are very discontented with the tax on date palms and sheep.

Here they made the same complaints I have already reported as universal in the Delta, as well as in Upper Egypt. — H. V. S.

Officials also come round and force us to buy the Government salt; they make us buy two okes per month; every one must buy, whether he has the money or not; the poor are often obliged to sell their clothes in order to buy this salt; otherwise they would be beaten or imprisoned, or both. We are overwhelmed with taxes, and are very poor. Besides that, we suffer very much from the forced labour; we have to furnish 300 men out of a population of 1200 able-bodied men. The farmers sometimes hire labourers as substitutes, paying them P. T. 3 per day ($7^1/_2$ *d.*) for the forced labour. The 300 men are taken away to distant parts of the province now; formerly they were employed on the spot. If 300 men were employed here for our own benefit we could have irrigation canals, and our production would be increased more than four-fold. || There is a great deal of debt; we cannot tell how much on the whole townland nor on any particular farm; every man keeps it to himself. If we borrow 1 *l.* now we must pay 1 *l.* 10 *s.* at the end of a year, *i. e.*, 50 per cent.; but often 5 or 6 per cent. per month of four weeks is charged. The debts are principally owing to rich natives, not to Europeans. The land of fellahs is often sold to pay their debts. When they are insolvent they sell their land voluntarily; they are net forced to sell, because, as these transactions are between natives and natives, they do not come before the Mixed Tribunals. The sale being voluntary, we get the full value of our land. When we sell it we count it here to be worth from 10 *l.* to 13 *l.* per feddan.

In the Delta it is worth from 30 *l.* to 50 *l.*, because it is irrigated and embanked, thus enabling three crops to be raised annually instead of one. — H. V. S.

We are specially poor this year, and the payment of the land tax has been a severe hardship, because Arabi took away our horses, sheep, buffaloes, cattle, and wheat; he also took away 150 recruits. He took away even the guards whose duty it is to keep order. Very few of these have returned; they have been killed or died. The recruits last sent have returned, because when they reached Cairo they found the war over and the Christians in possession. || *Q.* Do you bless the name of Arabi? — *A.* (General chorus.) We bless those who do us good; how, then, should we bless Arabi? We know

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nothing of Arabi; he did not make us any promise of any kind. Wo only know that the Mahmours and Mudirs took everything away from us in his name. He did not take away money from us, because we had no money to give. When the collectors came to exact the land tax we had nothing left to sell to pay the tax with. Moreover, as so many men were taken away, our cultivation suffered; we had therefore to borrow to pay the land tax. There is great poverty and destitution. There are no steam-pumps used here; we know of none in this neighbourhood; we do not know what they are. No cotton is grown here.

This sketch of what they suffered during the Arabi revolt is interesting as a memento of the evils from which we rescued them in 1882. — H. V. S., 1895.

No. 33. — *Statement of a Notable of Souhag, Province of Girgeh.*

January 9, 1883.

I own 200 feddans of land. I pay from P. T. 120 to P. T. 135 land tax on it, according to quality. It produces only one crop in the year, viz., immediately after the inundation retires. After that crop is harvested, the land remains idle till after the following inundation. The produce varies very much, as little as 1 ardeb per feddan is sometimes produced when there has not been water enough, and as much as 5 and even 6 ardebs when water has been abundant. || There are farms not very far from mine which are sometimes missed by the inundation altogether in unfavourable years; of course then they produce nothing at all; in such an event their land tax is not enforced. One crop a-year is the rule in this province, and mostly throughout Upper Egypt, but there are lands favourably situated for irrigation where three crops are grown within twelve months; three crops could be grown everywhere if we had water; cotton could also be grown. || *Q.* Would it be possible to supply water generally throughout Upper Egypt for irrigation? — *A.* Yes, by deepening the existing canals and by connecting them together. Now there are missing links in the chain, so that they do not communicate with each other; if they were sufficiently deepened and connected, all Upper Egypt could be irrigated and grow three crops. || *Q.* Would you approve of tapping the Nile above the Cataract, and by that means obtaining a high level canal to feed existing canals from? — *A.* If that could be done, enormous benefit would result. There is a main canal now which begins at Esneh, but it is not deep enough, and the connections are very defective. || *Q.* Is the land tax complained of? — *A.* Sometimes it is hard to pay it. This year especially so, because of Arabi's exactions. He took away everything, horses, camels, buffaloes, corn, even butter; still the land tax has been paid. || *Q.* If the people had nothing left to sell, how did they scrape money together to pay the tax? — *A.* They borrowed from the rich fellahs. || *Q.* At what rate of interest? —

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A. That is not the way here; they assigned their crops to the lenders at a discount. If the crop should turn out worth 100 they agreed to receive 80.

Note. — This is another way of obtaining 20 per cent. for four month's use of the money, viz., from seed time to harvest, equivalent, therefore, to 60 per cent. per annum. — H. V. S.

There is no permanent debt here, because there are no Jews or Greeks. In this province an allowance was made on account of the things taken by Arabi, but not in all. Arabi would have ruined the country if the English had not come; now the English are the governors of Egypt. || "We have no intention of remaining," I observed. "But if the English govern well, why should they not remain?"

N.B. — The same remark was made to me more than once in the Delta as well as here

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Q. Then you consider good government the first consideration? — *A.* Yes, we do not concern ourselves much about who governs, provided we are governed well. || *Q.* Is the salt tax collected here? — *A.* Yes, the Government have a monopoly of the sale of salt, and they farm it out to contractors, but there are places in the desert the where people can procure salt for themselves for nothing; besides that, the Bedouins bring it in secretly and sell it very cheap. The contractors, therefore, compel the people to buy the Government salt; the amount they force upon them varies in different districts, according to the contractors (consciences?). It is very hard on the poor; they complain very much of it. The rich buy their salt voluntarily from the contractors.

Note. — Another informant told me that the poor men were forced by the contractors to buy 18 lbs. of salt per annum for every member of their family, *even for babies at the breast!* — H. V. S. || This extract is the more instructive, because it is statement not of a poor peasant but of an intelligent and educated citizen of the town of Souhag. — H. V. S., 1895. || Extracts No. 52 and 53 illustrate more of the evils from which we rescued the peasantry in 1882; it also further illustrates the abuses connected with the compulsory purchase of salt, which we have abolished, and abuses connected with the date-palm tax; these have been abated. The sheep tax referred to is now entirely abolished.

No. 52. — *Statement of Villagers of Zeneia, Province of Keneh.*

January 27, 1883.

Arabi took 100 men from our village; 10 of them were killed in the war. || When the conscription began all our men ran away to the desert; that

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is the reason we have such bad crops; they were not irrigated. || *Q.* Did the recruits who went to fight for Arabi go willingly? — *A.* No, they were taken against their will. || *Q.* But did not some of them go willingly? — *A.* No, not one. || *Q.* But did not the people of Zeneia wish well to Arabi? — *A.* How should we wish well to him when he took away 100 of our men and killed 10 of them, and caused our crops to fail? He has our curses. || We have to pay the salt taxes, but though we pay for the salt no salt is given us unless we go down to the collector's boat to the river (Zeneia is inland), then some is given, but only part of what we have paid for. || Our land tax here is from P. T. 80 to P. T. 120, but many of us rent our land as tenants. We are very poor. Tenants pay P. T. 200 rent for their land. || We are prevented planting more date palms because of the tax; the young trees would be taxed.

These people made the usual statements and complaints as to the date tax and the sheep tax. || A villager from a riverside village stated besides that when, owing to the eating away of the banks by the current, trees fall into the river, they still have to go on paying the tax on the lost trees till next assessment. This is an old standing grievance which I have heard complained of ever since I ave known Egypt. — H. V. S. || Notes 53 and 55 illustrate abuses connected with the collection of taxes. These abuses are a thing of the past. Tax papers with full details are now furnished and receipts given, and any attempt to extort more than the tax paper showed to be due or to extort payment twice would be punished by summary dismissal. During my recent tour of inquiry the peasantry were unanimous in declaring that they no longer had anything to complain of as regards the collection of their taxes. — H. V. S., 1895.

No. 53. — *Statement of Villagers of Hawaide, Assiout*

February 7, 1883.

We have to pay tax on all palm trees from 4 feet high years before bear. || We are furnished with tax papers setting forth the numbers we have to pay on, but these papers are falsified. || One villager said, "I own eighteen trees, but I am charged for thirty, and when I complained to the sheikh he sent me to the Mahmour, but he would have beaten me and made me pay for the thirty all the same. It was better to pay without being beaten. || Some of our villagers are in partnership to grow sugar-cane. We join to work the shadoofs by shifts. A good deal of home-made sugar is manufactured on the other side of the river by private persons. || We cannot water the cane enough by shadoofs; it is consequently dry and does not yield well. If we had sakiyehs we could grow plenty, but how can we afford them? We are too poor. || We have to pay salt tax on every member of our families.

N.B. — I examined the tax papers furnished to these villagers. They were not filled up, a lump sum being mentioned, but no details, so that there

was ample room for unjust exaction. || Various villagers told me that they were often given no receipts for their taxes, so that they could not prove how much they had paid, and that, on asking for a receipt, they were beaten. — H. V. S. || Note 55 illustrates the arbitrary and tyrannical action of native officials, and also their dishonesty, unless checked by European supervision, and, further, shows the abuses in the collection of taxes from which we have delivered the people of Egypt.

No. 55. — *Statement by an English Official of high position.*

A native was brought to me with his feet all bleeding. He stated that he had brought his land tax to the Moudirieh, and had paid it into the hands of the sarraf (cashier), who gave him a receipt for it. Subsequently, the land tax was again demanded. He produced his receipt, stating that he had just paid it. The sarraf exclaimed that he did not know how he came by that receipt, but that the money had not been paid. The man persisting in his assertion was bastinadoed until, under torture, the admission was extorted from him that he had not paid it. || My informant wrote to the Mudir, who tried to hush the matter up, saying that the accused sarraf was hand-and-glove with all the chief people in the province, and that it would never do to prosecute him; he, however, followed the matter up, and succeeded in proving the sarraf's guilt, and obtaining his dismissal. || This dishonest official had, however, influence enough subsequently to obtain another appointment.

No. 56. — *Incident observed by myself at a Post-office in Upper Egypt.*

As I passed, a gang of men in chains, probably for non payment of taxes, were drawn up in front of the office. One of these presented a docket to the postmaster. He said roughly, "You have had your letter". At the same time he tore up the docket and threw it out of the window. I took up the torn pieces, and found that they were a warrant for the delivery of a registered letter. I asked the postmaster how it came that if the man had received his letter he had been allowed to retain the voucher. || The postmaster, seeing that I was not disposed to let the matter drop, now changed his tone, and said to the claimant, "If you will get two respectable townspeople to certify your identity, you shall have your letter". It appeared, therefore, that his first assertion that the man had received his letter was a positive falsehood. || This incident furnishes one more illustration of how corrupt and dishonest the native officials are. || Honest administration cannot be brought about in Egypt except under the direct personal supervision of trustworthy Europeans. || Nor can the peasant proprietors, who form the great bulk and the most important element of the population, be otherwise protected from the misgovernment and petty tyranny from which they now suffer.— H. V. S., 1883.

N.B. — These abuses still existed during the Dual Control, but now, under British auspices, efficient European supervision has been established, and such petty tyrannies as those above referred to are a thing of the past, but they would soon revive if we withdrew. || All along the Upper Nile as far as Assouan I met with European Inspectors visiting district after district in steam-launches. In 1883 there was no efficient inspection above the railway terminus at Assiout.

Note 6. — The Thebaid.

By way of contrast to the improved condition of this interesting region which I observed during my recent visit, I quote the description of the state of things there in 1883.

Nr. 48. — *Statement of Villagers of the Plain of Thebes, Province of Keneh.*

January 19, 1883.

These two townlands contain 1500 feddans. The land tax varies from P. T. 100 to P. T. 125 per feddan. The land produces only one crop in the year, except where there are water wheels; there it produces two. The whole plain is covered by the inundation. The produce is 5 ardebs per feddan. The present price here is about P. T. 90 per ardeb. || Once the entire plain belonged to us, but about eight years ago the Government took possession of 500 feddans. They themselves fixed the price arbitrarily at 7 *l.* per feddan; that is far below its value, but we had to part with our lan l at that price whether we liked it or not. When the time for payment came the Government made claims against us for arrears of taxes, chiefly Moukabala, and we received nothing. || Since then they have cultivated part of it themselves, and part of it they have let to the former owners. On the land they kept in their own hands they grew wheat for the army. They cultivated it by means of soldiers, so that they gave the dispossessed owners no employment. For the parts of it they let to us they charge P. T. 250 per feddan for the best, somewhat less for the inferior quality.

Note. — They, in fact, charged double the land tax all round.—H. V. S. || Since this happened there has been a great deal of poverty in this district; many, being no longer able to live here at all, have emigrated to other places. With regard to those who rent portions from the Government, it too often happens that after digging and sowing the land they, in the end, get no reward but a beating. This goes on still.

Q. Now? — *A.* Yes, now. 1000 feddans are still owned by the fellahs. The Moukabala was the cause of our losing our land.

Such is the recent history of the world-renowned Plain of Thebes: || It is observed, with reference to this transaction, that the Government, having

become possessed of the land by an arbitrary and high-handed proceeding for 7 *l.* per acre, have since relet it at more than one-third the fee-simple per annum; and according to the statement of the natives, when the crops do not suffice to pay the high rent, not only is the entire crop distrained, but the unfortunate tenants are beaten as well. || In ordinarily good years the produce would be worth 5 *l.* per acre, the rent, P. T. 250, would be exactly half of the gross produce, leaving 2 *l.* 10 *s.* per acre for seed, labour, and other taxes. It is not surprising that there should be in the district a noumerous colony of poverty-stricken families residing in the tombs, with which the neighbouring hills are honeycombed.

Note 7. — The Resurvey for Reorganization of the Land Tax.

The following extracts illustrate native feeling on the subject of the land tax, and the necessity of reforming it in the direction of equalization, *i. e.*, the abolition of exemptions: —

No. 8. — *A Notable, Talka, Province of Gharbieh, is a Member of the Chamber of Notables, owns 250 acres, pays P. T. 163 land tax per acre.*

December 24, 1882.

Q. How are the Notables elected. — *A.* The village Sheikhs write to the Mudir, each nominating a candidate for election to represent his district. The Mudir assembled the Sheikhs, and announces to them the number of votes for each candidate, and invites them to declare which shall bo elected. They usually name the candidate whom the Mudir has stated to have received most votes. But the Mudir is not bound to indorse their choice. He often substitutes a protégé of his own. He often receives from the Government an intimation as to who he has to fix upon. The nominee of the Government is elected as a matter of course. || *Q.* How often do the Chambers meet? — *A.* When summoned. They are usually summoned in December. || *Q.* What is their function when summoned? — *A.* First to pass the Budget, *i. e.*, that part of it which does not affect the external debt; beyond that they discuss various points relating to finance. || *Q.* Can you mention some of the points discussed? — *A* I may mention that, if summoned now, we intend to debate the question of the immunities enjoyed by the privileged lands, and to propose that all should be taxed alike. Also the question of sinecure pensions, which we regard as a costly abuse. || *Q.* Are Europeans exempt from taxation? — *A.* They are not exempt from the land tax if they own land, but they are exempt from taxes on cattle, horses, carriages, servants, in fact, everything except land. || *Q.* When was the land tax last fixed? — *A.* It was fixed twenty years ago, at the commencement of Ismail Pasha's reign, or towards the close of Saïd Pasha's reign, I am not sure which. || *Q.* Was it increased? — *A.* It was nearly doubled.

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Note. — In reply to a series of questions, he explained that during the American war cotton rose enormously in price, and that cotton-growing in Egypt became exceedingly profitable, and land doubled in value, and in consequence the land tax was raised. The tax then imposed remained unchanged to this day, although the price of cotton relapsed.

No. 7. — *Evidence of Sheikh and Notables of Tafana-el-Azar, Province of Gharbieh in the Delta.*

December 22, 1882.

We bless England for her intervention; we refused to carry out the orders of Arabi. There is comparatively little debt here; we have always set our faces against the usurers; we lend money to our villagers ourselves on moderate terms when we think they need it. || If you want to know our opinion on all questions of reform summon us together, summon all Notables throughout Egypt together in one great assembly, and ask us our views. We would abolish all exemptions on Oushurieh lands. || We condemn the sheep tax. || We do not consider our present land tax too high; we pay here P. T. 163 per feddan; prices of almost all produce are higher now than formerly. || During the rebellion boys used to run through the villages crying, "No more usurers. No more debts. No more taxes. Welcome to Arabi". They were set to do it. The villagers who had nothing for Arabi to take were beaten. || The neighbouring townland is 2500 feddans. There are debts of about 10000 due to usurers on it.

Note. — The houses of these and other Sheikhs whom I visited in the Delta were more handsomely appointed than those of large farmers in England. The floors in many instances were laid down with expensive carpets, and refreshments were brought in on gilded trays with a covering of gold brocade. The Sheikhs themselves often ride good Arab horses. Most of them were manifestly well-to-do; I did, however, meet with instances where they had been impoverished by the usurers, but the outward signs of prosperity were limited to the Sheikhs and Notables. The dwellings of the rank and file of the peasant proprietors were squalid, and gave the idea of poverty.

Note 8. — Irrigation.

A complete system of irrigation would include three reservoirs on a moderate scale instead of trusting to a single reservoir on the vast scale proposed for that at Assouan. || This would be a safer method and more effective, though more costly. The first would be constructed at Assouan as proposed, the second at Gebel Silsilis, the third either above Siout or between the first and Second Cataracts. || These would all be at comparatively low level; then as an important auxiliary, the great natural depression of Wady Rayan might be availed of if it were found that the three dams already mentioned did not

hold up sufficient water. || It has been objected to the latter site that the desert basin might render the water conveyed into it too salt for use, but the neigbouring desert lake of Birket-et-Kerun is only slightly brackish, notwithstanding that it is fed by the exhaust water of the Fayoom irrigation system; this exhaust water carries with it an excess of salts for the reasons explained at p. 9; no fresh water enters this lake, the water is not renewed, but is subject to rapid evaporation. || The Rayan reservoir, on the contrary, would be renewed annually at high Nile, and there would be an alternate influx and outflow every few months. Moreover, it has been proved that water containing as much as 1 per cent. of salt can still be used for irrigation purposes. || But in order to impregnate a lake with a superficial area of about 100 square miles, and more than 40 yards deep, with 1 per cent. of salt, an enormous mass of this mineral would be required. A single square mile of the surface, 40 yards deep, would contain more than 120 000 000 of cubic yards of water, and would require more than 1 200 000 cubic yards of salt to impregnate it to te extent of 1 per cent. || The entire lake therefore would require more than 100 000 000. Where is this vast bulk of salt to come from? This objection may be dismissed as chimerical. The desert itself is not so salt as is supposed, for after a few showers I have seen grass and other herbage spring up with surprising rapidity. || The real objection is the cost, exceeding 3 000 000 *l.*, for it would require a canal of very large calibre to convey into the basin enough of the flood water to fill it within the few weeks that high Nile lasts. Moreover, a portion of the canal would have to be cut through a plateau (of no great height) which intervenes. || Should it prove, however, that the three reservoirs in the channel of the Nile held up sufficient water, the Rayan scheme would be unnecessary. || The cost of the reservoirs above referred to, exclusive of Wady Rayan, would be, according to very careful estimates which have been made, about 4 500 000 *l.*, with another 500 000 *l.* for new canals; total, 5 000 000 *l.* || This sum could be raised by loan provided the consent of the Powers were obtainable. No public loan ever made would be so reproductive. || Gebel Silsilis would form an admirable site for a great reservoir, but that the river bottom does not offer a very sound or reliable foundation. || This difficulty might be met by using the rocks, which at this point hem in and narrow the channel of the Nile on both banks, as abutments for a dam having the form of a horizontal arch with its crown up steam; such a construction, supported by the natural abutments of solid rock above referred to, would resist almost any amount of pressure that could be brought to bear on it.

Note 9. — The Privileged Lands.

For the information of those who are but little acquainted with the details of Egyptian problems, I may mention that the history of these exemptions is as follows: — || Early in the century Mehemet Ali offered a premium

Nr. 11060. Gross-britannien. 28. Apr. 1895. on the reclamation of waste lands in the shape of greatly reduced land tax. || This well-meant concession, however, paved the way to mischievous abuses. The privileged lands formed a distinct category, called "Ousurieh". || Gradually, by Court favour and influence, wealthy land owners succeeded in getting their lands transferred to the coveted list until the acreage mounted up to 1300000 feddans, or not far from a fourth part of the entire cultivated area of Egypt. || Needless to say but a very small proportion of the Ousurieh owed their exemption to reclamation; they are to be found in every province and townland of Egypt, and consequently have given rise to a more universal discontent and sense of wrong than any other grievance whatever, the more so, as the deficit on the privileged properties were made up by burthening the rest of the agricultural population with increased taxes. || Of course, the difficulty of dealing with this serious and widespread evil has been greatly increased by the fact, that in the multitude of cases in which these favoured lands had changed hands an enhanced price had been paid for them in consideration of the reduced tax, but where the reduction had been due solely to Court favour, no Government guarantee had been given that the reduction should be permanent. || In many cases the lands transferred to the exempted category had belonged to peasant proprietors, and until taken from them had paid the full tax; the purchasers of such lands took them at their own risk. || On the other hand, the small percentage which owed their original exemption to reclamation deserve careful consideration || Naturally, the possessors of the privileged lands, who mostly belong to the influential class, may be expected to oppose a reform which will abolish their privileges. || The task of grappling with these difficulties might well daunt the most ardent reformer, and may be compared to the labours of Hercules; nevertheless, this formidable task has been undertaken, by the British Administration; it has been appropriately intrusted to the section of the Finance Department which was engaged in the resurvey mentioned and explained in the body of my Report. || The Special Commission appointed to carry it out had already made a beginning before I left Egypt, and, as stated above, the proposed changes had been so far submitted to with a better grace than might have been expected. It probably has been long perceived to be inevitable. || Few improvements we could make will give more universal satisfaction to the peasant proprietors throughout Egypt, or contribute more to its financial progress and prosperity and our popularity.

H. Villiers Stuart.

Bündnisse, Verträge, Konventionen etc.

Nr. 11061. SCHWEDEN, NORWEGEN und ARGENTINIEN. — Handels- und Schiffahrtsvertrag zwischen den vereinigten Königreichen Schweden und Norwegen und der Republik Argentinien.

Wien, 17. Juli 1885.

Nr. 11061. Schweden, Norwegen, Argentinien. 17. Juli 1885.

Son Excellence le Président de la République Argentine et Sa Majesté le Roi de Suède et Norvège également animés du désir de contribuer au développement des relations d'amitié, de commerce et de navigation entre la République Argentine et les Royaumes Unis de Suède et de Norvège ont résolu de conclure à cet effet un Traité, et ont nommé pour leurs plénipotentiaires, à savoir: || Son Excellence le Président de la République Argentine, le Docteur Michel Cané, Envoyé extraordinaire et Ministre plénipotentiaire de la dite République à Vienne, et Sa Majesté le Roi de Suède et Norvège, le Sieur Henri Akerman, son Envoyé extraordinaire et Ministre plénipotentiaire à Vienne; || Lesquels, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des articles suivants:

Article 1. — Il y aura amitié perpetuelle entre la République Argentine et ses citoyens d'une part et les Royaumes Unis de Suède et Norvège et leurs sujets d'autre part.

Art. 2. — La liberté de commerce sera réciproque entre tous les territoires de la République Argentine et ceux des Royaumes Unis de Suède et de Norvège. || Les citoyens et sujets des Parties Contractantes pourront, en toute liberté et sûreté, se rendre avec leurs navires et cargaisons dans tous les parages, ports et rivières de l'un ou l'autre Etat où il est ou serait permis d'arriver aux nationaux et aux navires et cargaisons de tout autre pays étranger. Ils pourront pénétrer sur les mêmes points, séjourner et résider dans une partie quelconque de ces territoires, y louer et y occuper des maisons et magasins pour leur résidence et leur commerce; trafiquer en produits de toute nature et en marchandises de toute sorte en se soumettant aux lois et régléments du pays et ils jouiront en toute chose et toujours sur la même reserve de la protection la plus complète et de la plus entière sécurité. || De la même manière, les navires de guerre, les bâtiments marchands, les malles et les paquebots des Parties Contractantes pourront entrer en pleine liberté et sûreté dans tous les ports, fleuves et lieux dont

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l'accès est permis ou sera permis à l'avenir aux navires de guerre et aux paquebots de toute autre Nation; ils pourront y pénétrer, jeter l'ancre, y séjourner et faire des réparations en s'assujetissant aux lois et usages du pays.

Art. 3. — Les Parties Contractantes conviennent que toute faveur, exemption, privilège ou immunité que l'une d'elles aurait accordé ou qu'elle accorderait à l'avenir pour le commerce ou la navigation aux citoyens et sujets de tout autre Gouvernement, Nation ou Etat, sera applicable, dans les mêmes cas et circonstances, aux citoyens et sujets de l'autre Partie Contractante à titre gratuit si la concession en faveur de l'autre Gouvernement, Nation ou Etat à été gratuit ou au moyen d'une compensation equivalente si la concession était conditionelle.

Art. 4. — Il ne sera pas imposé d'autres ni de plus forts droits dans les territoires de l'une des Parties Contractantes à l'importation des articles de production naturelle, industrielle ou fabriquée des territoires de l'autre Partie Contractante que les droits dont sont ou seraient passibles les mêmes articles de tout autre pays étranger. Il ne sera pas non plus imposé d'autre ni de plus forts droits dans les territoires de l'une des Parties Contractantes à l'exportation d'un article quelconque dans les territoires de l'autre Partie, que ceux qui sont ou seraient payés à l'exportation à un autre pays étranger pour le même article. Il ne sera point enfin imposé de prohibition à l'importation ou à l'exportation d'un article quelconque de production naturelle, industrielle ou fabriquée des territoires de l'une des Parties Contractantes dans les territoires de l'autre, qui ne s'étende également aux articles similaires de tout autre pays étranger.

Art. 5. — Ne seront perçus dans aucun port de l'une des Parties Contractantes, sur les bâtiments de l'autre, d'autre ni de plus forts droits te tonnage, de phare, de port, de pilotage, de sauvetage ou autres taxes locales, que ceux que sont payés pour les navires nationaux.

Art. 6. — Les mêmes droits seront payés et les mêmes escomptes et primes concédés pour importation ou l'exportation d'un article quelconque d'un territoire à l'autre soit que cette importation ou exportation ait lieu par des navires de la République Argentine, soit qu'elle s'effectue par des navires des Royaumes Unis de Suède et Norvège.

Art. 7. — Tous les navires qui, d'après les lois de la République Argentine, sont considérés comme navires argentins, et tous ceux qui, suivant les lois des Royaumes Unis de Suède et Norvège sont considérés comme navires suèdois norvegiens, seront respectivement tenus pour tels par l'autre Partie Contractante.

Art. 8. — Tous les commerçants commandants et capitaines de navires ou autres personnes de la République Argentine auront pleine liberté dans les Royaumes Unis de Suède et Norvège pour administrer leurs affaires, soit par eux mêmes, soit par de fondés de pouvoirs, courtiers, facteurs, agents ou interprêtes, et ils ne seront point obligés d'employer pour ces soins d'autres

personnes que celles employés par des sujets des Royaumes Unis de Suède et de Norvège, ni à payer d'autre rémunération que celle payée en pareille circonstance par les nationaux. Liberté absolue est acquise dans tous les cas à l'acheteur et au vendeur pour débattre et fixer le prix au mieux de leurs intérêts, de tout objet et marchandise importés dans les Royaumes Unis de Suède et Norvège ou exportés de dits Royaumes de Suède et Norvège, en observant les lois et costumes du pays. || Les mêmes droits et privilèges sont accordés á tous égards par la République Argentine aux sujets des Royaumes Unis Suède et Norvège. || Les citoyens et sujets des Parties Contractantes jouiront réciproquement de la protection la plus complète pour leurs personnes, biens et propriétés; ils auront un libre accès, près les tribunaux pour la revendication et la défense de leurs droits et ils pourront, à cet effet, désigner en toute circonstance les avocats, agents et fondés de pouvoirs qu'il leur conviendra de choisir, et ils jouiront, à cet égard, de mêmes droits et privilèges que les nationaux respectifs.

Art. 9. — En tout ce qui a rapport à la police des ports, au chargement et déchargement des navires aux mesures de sûreté pour les marchandises, valeurs et effets divers, à l'acquisition et à la manière de disposer de la propriété, de quelle classe et dénomination qu'elle soit, par vente, donation, permutation, testament ou par tout autre moyen quelconque, ainsi qu'à l'administration de la justice, les citoyens et sujets des Parties Contractantes jouiront réciproquement des mêmes droits, privilèges et prérogatives que les citoyens ou sujets de la nation la plus favorisée et ils ne seront passibles, en aucun des cas sus mentionnés et sous la reserve toujours de s'assujettir aux lois et réglements du pays, de droits plus forts que ceux auxquels sont soumis les citoyens ou sujets nationaux.

Art. 10. — Les argentins residant dans les Royaumes Unis de Suède et Norvège et les suédois et norvègiens residant dans la République Argentine seront exempts de tout service obligatoire sur terre ou sur mer comme de tout emprunt forcé, requisition et assistance militaire et ils n'auront respectivement et sous aucun prétexte à supporter aucune charge, requisition ou impôt autres ou plus forts que ceux prélevés sur les citoyens ou sujets nationaux.

Art. 11. — Chacune des Parties Contractantes pourra nommer des Consuls pour la protection de son commerce avec residence sur le territoire de l'autre partie; mais ces Consuls, avant d'exercer leurs fonctions, devront avoir été reconnus comme tels, dans la forme ordinaire, par le Gouvernement auprès duquel ils sont accredités, avec faculté pour chacune des Parties Contractantes d'exclure de la residence des Consulats les lieux qu'elles jugeraient convenable d'en excepter. || Les archives et papiers des Consulats seront, de part et d'autre, inviolablement respectés; et sous aucun prétexte, un employé public ou une autorité locale quelconque, ne pourra prendre possession des dits papiers et archives ne s' attribuer la moindre immittion à cet égard. || Les Consuls de la République Argentine jouiront dans les Royaumes Unis de

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Suède et Norvège de tous les privilèges, exemptions et immunitès qui sont ou seraient concédés aux Consuls de même classe de la nation la plus favorisée et respectivement les Consuls des Royaumes Unis de Suède et Norvège jouiront dans la République Argentine, avec la plus scrupuleuse réciprocité, de tous les privilèges, exemptions et immunitès qui sont ou seraient accordés dans la dite République aux Consuls de la nation la plus favorisée.

Art. 12. — Pour la plus grande sécurité du commerce entre la République Argentine et les Royaumes Unis de Suède et de Norvège, il est convenu qu'au cas ou il se produirait, par malheur, soit une interruption dans les rélations amicales de commerce, soit une rupture entre les Parties Contractantes, les citoyens el les sujets de chacune d'elles, residant sur le territoire de l'autre auront la faculté d' y rester et de continuer librement leurs occupations et leur commerce, aussi longtemps qu'ils se conduiront paisiblement et ne violeront en aucune manière les lois du pays. Leurs effets et propriétés, qu'ils soient confiés à des particuliers ou à l' Etat, ne seront soumis ni à la saisie, ni au séquestre, ni à des contributions autre que celles auxquelles est assujettie la même classe d'effets ou propriétés appartenant aux nationaux respectifs.

Art. 13. — Les citoyens de la République Argentine et les sujets des Royaumes Unis de Suède et de Norvège résidant respectivement sur les territoires des Parties Contractantes, jouiront quant à leurs maisons, personnes et propriétés de la plus complète protection du Gouvernement. || Ils ne seront inquiétés, molestés, ni gênés d'aucune façon à l'égard de la religion et une parfaite liberté de conscience leur sera assurée, pourvu qu'ils respectent dûment euxmêmes la religion et les usages du pays dans le quel ils resident. || En ce qui concerne la célébration du culte suivant les rites et cérémonies de leur propre église, soit dans des maisons particuliers, soit dans leurs églises et chapelles, en ce qui concerne le droit de construction et d'entretien de ces églises et chapelles, enfin quant à la faculté d'acquérir, d'ocuper et d'entretenir des localités spéciales pour leur cimetières, des citoyens et sujets de chacune des Parties Contractantes qui resident dans les territoires et possessions de l'autre, jouiront les mêmes libertés, de même droit et de la même protection que les citoyens et sujets de la nation la plus favorisée.

Art. 14. — Le présent Traité restera en vigeur pendant dix années à partir de l'échange des ratifications. Dans le cas ou aucune des Parties Contractantes n'aurait notifié douze mois avant la fin de la dite période son intention d'en faire cesser les effets, il demeurera obligatoire jusqu'à l'expiration d'une année, à partir du jour où l'une ou l'autre des Parties Contractantes l'aura denoncé.

Art. 15. — Le présent Traité sera ratifié par les Parties Contractantes (par le Gouvernement Argentin avec approbation préalable du Congrès) et les ratifications en seront échangées à Vienne dans le délai de six mois plutôt

s'il est possible. || En foi de quoi les Plenipotentiaires ont signé le présent Traité et y ont apposé le cachet de leurs armes.

Nr. 11061. Schweden, Norwegen, Argentinien. 17. Juli 1885.

Fait à Vienne, en double expedition, le dixsept Juillet 1885,

H. Akerman.
Miguel Cané.

Nr. 11062. SCHWEDEN, NORWEGEN und ARGENTINIEN. — Zusatzartikel zum vorigen.

Nr. 11062. Schweden, Norwegen, Argentinien. 17. Juli 1885.

Les Hautes Parties Contractantes reconnaissent et acceptent leurs legislations respectives en ce qui concerne l'acquisition de la nationalité. || Toutefois, si un citoyen argentin devenu sujet suedois ou norvegien ou un suedois ou norvegien devenu citoyen argentin, renouvelle sa residence dans le pays d'origine avec l'intention d'y séjourner à demeure, il sera consideré comme ayant renoncé, par ce fait, à la naturalisation acquise dans le pays étranger. || Une residence dépassant deux ans dans le pays d'origine, sera considérée comme preuve de l'intention de vouloir y séjourner à demeure.

Fait à Vienne le dix-sept Juillet 1885.

H. Akerman.
Miguel Cané.

Nr. 11063. JAPAN und DÄNEMARK. — Handels- und Schiffahrtsvertrag zwischen Japan und Dänemark.

Copenhagen, 19. Oktober 1895.

Nr. 11063. Japan und Dänemark. 19. Okt. 1895.

His Majesty the Emperor of Japan and His Majesty the King of Denmark, being equally desirous of maintaining the relations of good understanding which happily exist between them, by extending and increasing the intercouse between their respective Sates, and being convinced that this object cannot better be accomplished than by revising the Treaties hitherto existing between the two countries, have resolved to complete such a revision based upon principles of equity and mutual benefit, and for that purpose, have named as their Plenipotentiaries, that is to say: His Majesty the Emperor of Japan: Akabane Shiro, *Ju joi*, [Shogoi] fifth class of the Imperial Order of the Sacred Treasure, His Majesty's Minister Resident at the Royal Danish Court, and His Majesty the King of Denmark: Kjeld Thor Tage Otto Baron Reedtz Thott, Commander of Danebrog and Danebrogsmand, His Majesty's Chamberlain, President of the Council of the Ministers and Minister for Foreign Affairs etc.; ||

Who, after having communicated to each other their full powers, found to be in good and due form, have agreed upon and concluded the following Articles:

Article I.

The subjects of each of the two High Contracting Parties shall have full liberty to enter travel or reside in any part of the territories of the other Cantracting Party, and shall enjoy full and perfect protection for their persons

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and property. || They shall have free and easy access to the Courts of Justice in pursuit and defence of their rights, they shall be at liberty equally with native subjects to choose and employ lawyers, advocates, and representatives to pursue and defend their rights before such Courts, and in all other matters connected with the administration of justice they shall enjoy all the rights and privileges enjoyed by native subjects. || In whatever relates to rights of residence and travel; to the possession of goods and effects of any kind; to the succession to personal estate, by will or otherwise, and the disposal of property of any sort and in any manner whatsoever which they may lawfully acquire, the subjects of each Contracting Party shall enjoy in the territories of the other the same privileges, liberties and rights, and shall be subject to no higher imposts or charges in these respects than native subjects, or subjects or citizens of the most favoured nation. The subjects of each of the Contracting Parties shall enjoy in the territories of the other entire liberty of conscience, and subject to the laws, ordinances, and regulations, shall enjoy the right of private or public exercise of their worship, and also the right of burying their respective countrymen according to their religious customs, in such suitable and convenient places as may be established and maintained for that purpose. || They shall not be compelled, under any pretext whatsoever, to pay any charges or taxes other or higher than those that are, or may be plaid by native subjects, or subjects or citizens of the most favoured nation. || The subjects of either of the Contracting Parties residing in the territories of the other shall be exempted from all compulsory military service whatsoever, whether in the army, navy, national guard, or militia; from all contributions imposed in lieu of personal service; and from all forced loans or military exactions or contributions.

Article II.

There shall be reciprocal freedom of commerce and navigation between the dominions of the two High Contracting Parties. || The subjects of each of the Contracting Parties may trade in any part of the dominions of the other by wholesale or retail in all kinds of produce, manufactures, and merchandize of lawful commerce, either in person or by agents, singly or in partnerships with foreigners or native subjects; and they may there own or hire and occupy houses and warehouses, and lease land for residential and commercial purposes, conforming themselves to the laws, police and customs regulations of the country like native subjects. || They shall have liberty freely to come with their ships and cargoes to all places, ports and rivers in the territories of the other, which are or may be opened to foreign commerce, and shall enjoy, respectively, the same treatment in matters of commerce and navigation as native subjects, without having to pay taxes, imposts or duties, of whatever nature or under whatever denomination levied in the name or for the profit of the Government, public functionaries, private individuals, corporations, or

establishments of any kind, other or greater than those paid by native subjects. It is, however, understood that the stipulations contained in this and the preceeding Article do not in any way affect the special laws, ordinances and regulations with regard to trade, police and public security in force in each of the two countries.

Article III.

The dwellings, warehouses and shops of the subjects of each of the High Contracting Parties in the dominions and possessions of the other, and all premises appertaining thereto destined for purposes of residence or commerce, shall be respected. || It shall not be allowable to proceed to make a search of, or a domiciliary visit to such dwellings and premises, or to examine or inspect books, papers, or accounts, except under the conditions and with the forms prescribed by the laws, ordinances and regulations for subjects of the country.

Article IV.

No other or higher duties shall be imposed on the importation into the dominions of His Majesty the King of Denmark of any article, the produce or manufacture of the dominions and possessions of His Majesty the Emperor of Japan from whatever place arriving; and no other or higher duties shall be imposed on the importation into the dominions and possessions of His Majesty the Emperor of Japan of any article, the produce or manufacture of the dominions of His Majesty the King of Denmark, from whatever place arriving, than on the like article produced or manufactured in any other foreign country; nor shall any prohibition be maintained or imposed on the importation of any article, the produce or manufacture of the dominions and possessions of either of the High Contracting Parties, into the dominions and possessions of the other, from whatever place arriving, which shall not equally extend to the importation of the like article, being the produce or manufacture of any other country. || This last provision is not applicable to the sanitary and other prohibitions occasioned by the necessity of protecting the safety of persons, or of cattle, or of plants useful to agriculture.

Article V.

No other or higher duties or charges shall be imposed in the dominions and possessions of either of the High Contracting Parties on the exportation of any article to the dominions and possessions of the other than such as are, or may be, payable on the exportation of the like article to any other foreign country; nor shall any prohibition be imposed on the exportation of any article from the dominions and possessions of either of the two Contracting Parties to the dominions and possessions of the other, which shall not equally extend to the exportation of the like article to any other country.

Article VI.

The subjects of each of the High Contracting Parties shall enjoy in the dominions and possessions of the other exemption from all transit duties, and

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a perfect equality of treatment with native subjects in all that relates to warehousing, bounties, facilities, and drawbacks.

Article VII.

All articles which are or may be legally imported into the ports of the dominions and possessions of His Majesty the Emperor of Japan in Japanese vessels may likewise be imported into those ports in Danish vessels, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in Japanese vessels; and, reciprocally, all articles which are or may be legally imported into the ports of the dominions and possessions of His Majesty the King of Denmark in Danish vessels may likewise be imported into those ports in Japanese vessels, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in Danish vessels. Such reciprocal equality of treatment shall take effect without distinction, whether such articles come directly from the place origin or from any other place. || In the same manner there shall be perfect equality of treatment in regard to exportation, so that the same export duties shall be paid, and the same bounties and drawbacks allowed, in the dominions or possessions of either of the High Contracting Parties on the exportation of any article which is or may be legally exported therefrom, whether such exportation shall take place in Japanese or in Danish vessels, and whatever may be the place of destination, whether a port of either of the Contracting Parties or of any third Power.

Article VIII.

No duties of tonnage, harbour, pilotage, lighthouse, quarantine, or other similar or corresponding duties of whatever nature or under whatever denomination, levied in the name or for the profit of the Government, public functionaries, private individuals, corporations, or establishments of any kind, shall be imposed in the ports of the dominions and possessions of either country upon the vessels of the other country which shall not equally and under the same conditions be imposed in the like cases on national vessels in general or vessels of the most favoured nation. Such equality of treatment shall apply reciprocally to the respective vessels, from whatever port or place the[y] may arrive, and whatever may be their place of destination.

Article IX.

In all that regards the stationing, loading and unloading of vessels in the ports, basins, docks, roadsteads, harbours, or rivers of the dominions and possessions of the two countries, no privilege shall be granted to national vessels which shall not be equally granted to vessels of the other country; the intention of the High Contracting Parties being that in this respect also the respective vessels shall be treated on the footing of perfect epuality.

Article X.

The coasting trade of both the High Contracting Parties is excepted from the provisions of the present Treaty, and shall be regulated according to the laws, ordinances and regulations of Japan and of Denmark respectively. It is, however, understood that Japanese subjects in the dominions and possessions of His Majesty the King of Denmark and Danish subjects in the dominions and possessions of His Majesty the Emperor of Japan, shall enjoy in this respect the rights which are, or may be, granted under such laws, ordinances and regulations to the subjects or citizens of any other country. || A Japanese vessel laden in a foreign country with cargo destined for two or more ports in the dominions and possessions of His Majesty the King of Denmark and a Danish vessel laden in a foreign country with cargo destined for two or more ports in the dominions and possessions of His Majesty the Emperor of Japan, may discharge a portion of her cargo at one port and continue her voyage to the other port or ports of destination where foreign trade is permitted, for the purpose of landing the remainder of her original cargo there, subject always to the laws and custom-house regulations of the two countries. || The Japanese Government, however, agrees to allow Danish vessels to continue as heretofore for the period of the duration of the present Treaty, to carry cargo between the existing open ports of the Empire excepting to or from the ports of Osaka, Niigata and Ebisu-minato.

Article XI.

Any ship-of-war or merchant vessel of either of the High Contracting Parties which may be compelled by stress of weather or by reason of any other distress, to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary supplies, and to put to sea again, without paying any dues other than such as would be payable by national vessels. In case, however, the master of a merchant-vessel should be under the necessity of disposing of a part of his cargo in order to defray the expenses, he shall be bound to conform to the Regulations and Tariffs of the place to which he may have come. || If any ship-of-war or merchant-vessel of one of the Contracting Parties should run aground or be wrecked upon the coasts of the other, the local authorities shall inform the Consul-General, Consul, Vice Consul, or Consular Agent of the district of the occurrence, or if there be no such Consular officers, they shall inform the Consul-General, Consul, Vice Consul, or Consular Agent of the nearest district. || All proceedings relative to the salvage of Japanese vessels wrecked or cast on shore in the territorial waters of His Majesty the King of Denmark shall take place in accordance with the laws, ordinances and regulations of Denmark; and, reciprocally all measures of salvages relative to Danish vessels wrecked or cast on shore in the territorial waters of His Majesty the Emperor of Japan shall take place in accordance with the laws, ordinances and regulations of

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Japan. || Such stranded or wrecked ship or vessel and all parts thereof, and all furnitures and appurtenances belonging thereunto, and all goods and merchandize saved therefrom, including those which may have been cast into the sea, or the proceeds thereof, if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners or their agents, when claimed by them. If such owners or agents are not on the spot, the same shall be delivered to the respective Consuls General Consuls, Vice Consuls, or Consular Agents upon being claimed by them within the period fixed by the laws of the country, and such Consular officers, owners, or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the case of a wreck of a national vessel. || The goods and merchandize saved from the wreck shall be exempt from all the duties of the Customs unless cleared for consumption, in which case they shall pay the ordinary duties. || When a ship or vessel belonging to the subjects of one of the Contracting Parties is stranded or wrecked in the territories of the other, the respective Consuls General, Consuls, Vice Consuls, and Consular Agents shall be authorized, in case the owner or master, or other agent of the owner is not present, to lend their official assistance in order to afford the necessary assistance to the subjects of the respective States. The same rule shall apply in case the owner, master, or other agent is present, but requires such assistance to be given.

Article XII.

All vessels which, according to Japanese law, are to be deemed Japanese vessels, and all vessels which, according to Danish law, are to be deemed Danish vessels, shall, for the purposes of this Treaty, be deemed Japanese and Danish vessels, respectively.

Article XIII.

If any seamen should desert from any vessel-of-war or merchant-ship belonging to either of the High Contracting Parties within the territory of the other, the local authorities shall be bound to give every assistance in their power for the apprehension and handing over of such deserter, on application to that effect being made to them by the Consul of the country to which the vessel or ship of the deserter may belong, or by the deputy or representative of the Consul. || It is understood that this stipulation shall not apply to the subjects of the country where the desertion takes place.

Article XIV.

The High Contracting Parties agree that, in all that concerns commerce and navigation, any privilege, favour or immunity which either Contracting Party has actually granted or may hereafter grant to the Government, ships, subjects, or citizens of any other State shall be extended immediately and unconditionally to the Government, ships and subjects of the other Contracting

Party; it being their intention that the trade and navigation of each country shall be placed, in all respects, by the other on the footing of the most favoured nation.

Article XV.

Each of the High Contracting Parties may appoint Consuls General, Consuls, Vice Consuls, Pro-Consuls, and Consular Agents, in all the ports, cities, and places of the other, except in those where it may not be convenient to recognize such officers. || This exception, however, shall not be made in regard to one of the Contracting Parties without being made likewise in regard to every other Power. || The Consuls General, Consuls, Vice Consuls, Pro-Consuls. and Consular Agents may exercise all functions, and shall enjoy all privileges, exemptions and immunities which are, or may hereafter be granted to Consular officers of the most favoured nation.

Article XVI.

The subjects of each of the High Contracting Parties shall enjoy in the dominions and possessions of the other the same protection as native subjects in regard to patents, trademarks and designs, upon fulfilment of the formalities prescribed by the law.

Article XVII.

The stipulations of the present Treaty shall be applicable to the Kingdom of Denmark, the islands of Faroe and Iceland. Equally the articles 1, 2, 3, 10, 11, 12, 13, 15, 16, 17, 18, 19 and 20 shall be applicable to the Danish West-Indian islands.

Article XVIII.

The present Treaty shall, from the date it comes into force, be substituted in place of the Treaty of Friendship, Commerce and Navigation and Additional Articles of the 7th day of the 12th month of the 2nd year of Keiou corresponding to the 12th day of January 1867 and all Arrangements and Agreements subsidiary thereto concluded or existing between the High Contracting Parties; and from the same date such Treaty, Additional Articles, Arrangements and Agreements shall cease to be binding, and, in consequence, the jurisdiction then exercised by Danish Courts in Japan and all the exceptional privileges, exemptions and immunities then enjoyed by Danish subjects as a part of, or appurtenant to such jurisdiction, shall absolutely and without notice cease and determine, and thereafter all such jurisdiction shall be assumed and exercised by Japanese Courts.

Article XIX.

The present Treaty shall not take effect until the sixteenth day of the seventh month of the thirty second year of Meiji, the sixteenth July one thousand eight hundred and ninety nine. It shall come into force one year after His Imperial Japanese Majesty's Government shall have given notice to the Government of His Majesty the King of Denmark of its wish to have

Nr. 11063. Japan und Dänemark. 19. Okt. 1895. the same brought into operation. Such notice may be given at any time after the sixteenth day of the seventh month of the thirty first year of Meiji, the sixteenth July one thousand eight hundred and ninety eight. || The Treaty shall remain in force for the period of twelve years from the date it goes into operation. || Either High Contracting Party shall have the right, at any time after eleven years shall have elapsed from the date this Treaty takes effect, to give notice to the other of its intention to terminate the same, and at the expiration of twelve months after such notice is given this Treaty shall wholly cease and determine.

Article XX.

The present Treaty shall be ratified by the High Contracting Parties and the ratifications thereof shall be exchanged at Copenhagen within eight months after its signature. || In witness whereof the respective Plenipotentiaries have signed the same and affixed the seal of their arms. || Done at Copenhagen in duplicate this 19th day of the 10th month of the twenty eighth year of Meiji, corresponding to the 19th day of October in the year of our Lord one thousand eight hundred and ninety-five.

Akabane Shiro. (L. S.)

Reedtz Thott. (L. S.)

Nr. 11064. JAPAN und DÄNEMARK. Protokoll zum Handels- und Schiffahrtsvertrage zwischen Japan und Dänemark.

Copenhagen, 19. Oktober 1895.

Nr. 11064. Japan und Dänemark. 19. Okt. 1895. The Government of His Majesty the Emperor of Japan and the Government of His Majesty the King of Denmark, deeming it advisable in the interests of both Countries to regulate certain special matters of mutual concern, apart from the Treaty of Commerce and Navigation signed this day, have, through their respective Plenipotentiaries agreed upon the following stipulations: || 1. — It is agreed by the Contracting Parties that one month after the exchange of the ratifications of the Treaty of Commerce and Navigation signed this day, the Import Tariff now in operation in Japan in respect of goods and merchandize imported into Japan by the subjects of His Majesty the King of Denmark shall cease to be binding. From the same date the General Statutory Tariff of Japan for the time being in force shall subject to the provisions of Article XIX of the Treaty of the 7th day of the 12th month of the 2nd year of Keiou, corresponding to the 12th day of January 1867 at present subsisting between the Contracting Parties, so long as said Treaty remains in force, and thereafter, subject to the provisions of Article IV and Article XIV of the Treaty signed this day, be applicable to goods and merchandize, being the growth, produce, or manufacture of the dominions and

possessions of His Royal Danish Majesty upon importation into Japan. But nothing contained in this Protocol shall be held to limit or qualify the right of the Japanese Government to restrict or to prohibit the importation of adulterated drugs, medicines, food or beverages; Indecent or obscene prints, paintings, books, cards, lithographic or other engravings, photographs or any other indecent or obscene articles; articles in violation of patent, trade-mark, or copy-right laws of Japan; or any other article which for sanitary reasons or in view of public security or morals, might offer any danger. || 2.—His Royal Danish Majesty's Government gives its consent to the complete incorporation from the date the Treaty of Commerce and Navigation signed this day comes into force, of the several foreign settlements with the respective Japanese communes. When such incorporation is effected, such settlements shall form integral portions of the municipal system of Japan; the competent Japanese Authorities shall thereupon assume all municipal obligations and duties in respect thereof, and the municipal funds and property belonging to such settlements shall at the same time, be transferred to the said Japanese Authorities. || 3.—The Japanese Government, pending the opening of the country to Danish subjects, agrees to extend the existing passport system in such a manner as to allow Danish subjects, on the production of a certificate of recommendation from the Danish Representative in Tokio, or from any of His Majesty's Consuls at the open ports in Japan, to obtain upon application passports available for any *port* [part] of the country, and for any period not exceeding twelve months from the Imperial Japanese Foreign Office in Tokio, or from the Chief Authorities in the Prefecture in which an open port is situated, it being understood that the existing Rules and Regulations governing Danish subjects who visit the interior of the Empire are to be maintained. || 4.—The undersigned Plenipotentiaries have agreed that this Protocol shall be submitted to the two High Contracting Parties at the same time as the Treaty of Commerce and Navigation signed this day, and that when said Treaty is ratified, the agreements contained in the Protocol shall also equally be considered as approved without the necessity of a further formal ratification. || It is also agreed that this Protocol shall terminate at the same time said Treaty ceases to be binding. || In witness whereof the respective Plenipotentiaries have signed the same and affixed the seal of their arms. || Done at Copenhagen, in duplicate, this 19th day of the 10th month of the twenty eighth year of Meiji, corresponding to the 19th day of October in the year of our Lord one thousand [eight hundred] and ninety-five.

Akabane Shiro. (L. S.)

Reedtz Thott. (L. S.)

Nr. 11065. DEUTSCHES REICH und JAPAN. — Handels- und Schiffahrtsvertrag zwischen dem Deutschen Reiche und Japan*).

Berlin, 4. April 1896.

Nr. 11065. Deutsches Reich und Japan. 4. April 1896.

Seine Majestät der Deutsche Kaiser, König von Preussen, im Namen des Deutschen Reiches, und Seine Majestät der Kaiser von Japan, von dem gleichen Wunsche geleitet, das gute Einvernehmen, welches erfreulicherweise zwischen ihnen besteht, durch Ausdehnung und Hebung des Verkehrs zwischen Deutschland und Japan zu erhalten, und überzeugt, dass diese Aufgabe nicht besser als durch die Revision des zur Zeit zwischen den beiden Ländern bestehenden Vertrages erfüllt werden kann, haben beschlossen, eine solche Revision auf Grundlage der Billigkeit und des gegenseitigen Vorteils vorzunehmen, und zu diesem Zweck zu ihren Bevollmächtigten ernannt, nämlich: || Seine Majestät der Deutsche Kaiser, König von Preussen: Allerhöchstihren Staatsminister, Staatssekretär des Auswärtigen Amtes, Herrn Adolf Freiherrn Marschall von Bieberstein, || und || Seine Majestät der Kaiser von Japan: || Allerhöchstihren ausserordentlichen Gesandten und bevollmächtigten Minister bei Seiner Majestät dem Deutschen Kaiser, König von Preussen, Herrn Vicomte Siuzo Aoki, || welche nach gegenseitiger Mitteilung ihrer in guter und gehöriger Form befundenen Vollmachten den nachstehenden Handels- und Schiffahrtsvertrag vereinbart und festgestellt haben:

Artikel I.

Die Angehörigen eines jeden der beiden vertragschliessenden Teile sollen volle Freiheit geniessen, überall die Gebiete des anderen vertragschliessenden Teiles zu betreten, zu bereisen oder sich daselbst niederzulassen, und sollen vollen und uneingeschränkten Schutz für ihre Person und ihr Eigentum geniessen. || Sie sollen freien und ungehinderten Zutritt zu den Gerichten haben zur Verfolgung und Verteidigung ihrer Rechte; sie sollen in gleicher Weise wie die Inländer das Recht haben, Anwälte, Advokaten und Vertreter zur Verfolgung und Verteidigung ihrer Rechte vor diesen Gerichten zu wählen und zu verwenden, und in allen anderen auf die Rechtspflege bezüglichen Angelegenheiten alle Rechte und Begünstigungen der Inländer geniessen. || Die Angehörigen eines jeden der vertragschliessenden Teile sollen in den Gebieten des anderen in Bezug auf die Niederlassung und das Reisen, auf den Besitz von Waren und beweglichen Sachen aller Art, auf den, sei es kraft letzten Willens oder in anderer Weise erfolgenden Erwerb von Todeswegen bei solchem Vermögen aller Art, welches sie unter Lebenden erwerben dürfen, und in Bezug auf alle wie immer beschaffenen Verfügungen über Vermögen jeder Art, welches in gesetzmässiger Weise erworben ist, die nämlichen Begünstigungen, Freiheiten und Rechte geniessen und in diesen Beziehungen

*) Vgl. Nr. 10201 Anmerk. (Bd. 52 S. 306). Red.

keinen höheren Abgaben und Lasten unterworfen sein, als die Inländer oder die Angehörigen der meistbegünstigten Nation. || Die Angehörigen eines jeden der vertragschliessenden Teile sollen in den Gebieten des anderen vollkommene Gewissensfreiheit, sowie in Gemässheit der Gesetze, Verordnungen und Reglements das Recht privater oder öffentlicher Abhaltung ihres Gottesdienstes und auch das Recht geniessen, ihre betreffenden Landsleute nach ihren religiösen Gebräuchen auf den geeigneten und passend befundenen, zu diesem Zweck angelegten und unterhaltenen Plätzen zu bestatten. || Sie sollen unter keinem Vorwande gezwungen werden, andere oder höhere Abgaben oder Steuern zu bezahlen als diejenigen, welche jetzt oder künftig von Inländern oder Angehörigen der meistbegünstigten Nation gezahlt werden.

Artikel II.

Die Angehörigen eines jeden der vertragschliessenden Teile, welche in den Gebieten des anderen wohnen, sollen von jedem zwangsweisen Militärdienst irgend welcher Art, sei es im Heer, in der Flotte, der Bürgerwehr oder der Miliz, von allen, an Stelle persönlicher Dienstleistung auferlegten Abgaben und von allen Zwangsanleihen oder militärischen Leistungen oder Abgaben befreit sein.

Artikel III.

Es soll gegenseitige Freiheit des Handels und der Schiffahrt zwischen den Gebieten der vertragschliessenden Teile bestehen. || Die Angehörigen eines jeden der vertragschliessenden Teile dürfen überall in den Gebieten des anderen Gross- und Kleinhandel mit allen Arten von Erzeugnissen des Bodens und des Gewerbefleisses und von Waren, soweit sie in den Verkehr gebracht werden dürfen, sei es persönlich oder durch Beauftragte, einzeln oder in Vereinigung mit Fremden oder Inländern betreiben, sie dürfen Wohnhäuser, Fabrikgebäude, Warenhäuser, Läden und sonstige Räumlichkeiten besitzen oder mieten und bewohnen, auch dürfen sie für Niederlassungs-, Industrie- und Handelszwecke Ländereien pachten, wobei sie wie die Inländer den Gesetzen, den Polizei- und Zollvorschriften des Landes unterworfen sind. || Sie sollen befugt sein, frei und sicher mit ihren Schiffen und deren Ladungen alle die Plätze, Häfen und Flüsse in den Gebieten des anderen Teiles zu besuchen, welche für die Einfuhr oder Ausfuhr von Waren geöffnet sind oder künftighin geöffnet sein werden, und sollen gegenseitig in Angelegenheiten des Handels, der Industrie und der Schiffahrt dieselbe Behandlung wie die Inländer oder die Angehörigen der meistbegünstigten Nation geniessen, ohne andere oder höhere Steuern, Auflagen oder Zölle irgend welcher Art oder Bezeichnung, mögen dieselben im Namen oder zum Vorteil der Regierung, öffentlicher Beamter, Privater oder irgend welcher Korporationen oder Anstalten erhoben werden, zu entrichten, als diejenigen, welche von Inländern oder Angehörigen der meistbegünstigten Nation gezahlt werden, immer in Gemässheit der Gesetze, Verordnungen und Reglements des betreffenden Landes.

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Artikel IV.

Die Wohngebäude, Fabriken, Warenhäuser und Läden der Angehörigen eines jeden der vertragschliessenden Teile in den Gebieten des anderen, sowie alle dazu gehörigen Räumlichkeiten, welche zu Niederlassungs-, Industrie- und Handelszwecken bestimmt sind, sollen unverletzlich sein. || Es ist unzulässig, in solchen Gebäuden und Räumlichkeiten Durchsuchungen oder Haussuchungen abzuhalten, oder Bücher, Papiere und Rechnungen einzusehen und zu prüfen, ausgenommen in denjenigen Fällen und in denjenigen Formen, in welchen derartige Massnahmen nach den Gesetzen, Verordnungen und Reglements auch Inländern gegenüber anwendbar sind.

Artikel V.

Bei der Einfuhr in Deutschland sollen auf Gegenstände, welche in Japan erzeugt oder verfertigt sind, von welchem Platze sie auch kommen mögen, und bei der Einfuhr in Japan sollen auf Gegenstände, welche in Deutschland erzeugt oder verfertigt sind, von welchem Platze sie auch kommen mögen, keine anderen oder höheren Zölle gelegt werden, als auf die gleichartigen Gegenstände, welche in irgend einem fremden Lande erzeugt oder verfertigt sind. || Auch soll bezüglich eines in den Gebieten des einen vertragschliessenden Teiles erzeugten oder verfertigten Gegenstandes, von welchem Platze derselbe auch kommen möge, kein Verbot der Einfuhr in die Gebiete des anderen aufrecht erhalten oder erlassen werden, welches nicht ebenso die Einfuhr des gleichartigen Gegenstandes aus irgend einem dritten Lande trifft. Diese letztere Vorschrift findet keine Anwendung auf die sanitären und anderen Verbote, welche durch die Notwendigkeit veranlasst werden, die öffentliche Gesundheit, die Erhaltung des Viehs oder der der Landwirtschaft nützlichen Pflanzen zu sichern.

Artikel VI.

In den Gebieten eines jeden der vertragschliessenden Teile sollen bei der Ausfuhr nach den Gebieten des anderen auf keinen Gegenstand andere oder höhere Zölle oder Abgaben gelegt werden als diejenigen, welche bei der Ausfuhr der gleichartigen Gegenstände nach irgend einem anderen fremden Lande jetzt oder in Zukunft entrichtet werden; auch darf nicht die Ausfuhr eines Gegenstandes aus den Gebieten des einen der vertragschliessenden Teile in die Gebiete des anderen mit einem Verbot belegt werden, welches sich nicht gleichmässig auf die Ausfuhr der gleichartigen Gegenstände nach irgend einem anderen Lande erstreckt.

Artikel VII.

Die Angehörigen eines jeden der vertragschliessenden Teile sollen in den Gebieten des anderen mit Bezug auf die Befreiung von Durchfuhrzöllen und in Allem, was sich auf Zollniederlagen, Ausfuhrvergütungen, Erleichterungen und Rückzölle bezieht, völlige Gleichstellung mit den Inländern geniessen.

Artikel VIII.

Für zollpflichtige Gegenstände, welche als Muster von den die Gebiete des einen der vertragschliessenden Teile besuchenden Kaufleuten, Gewerbetreibenden und Handlungsreisenden des anderen Teiles eingebracht werden, wird beiderseits Befreiung von Eingangs- und Ausgangsabgaben zugestanden, unter der Voraussetzung, dass diese Gegenstände binnen der durch die Landesgesetze bestimmten Frist unverkauft wieder ausgeführt werden, und vorbehaltlich der Erfüllung der für die Wiederausfuhr oder für die Zurücklieferung in die Niederlage notwendigen Zollförmlichkeiten. Die Wiederausfuhr der Muster muss in beiden Ländern unmittelbar am ersten Einfuhrort durch Niederlegung des Betrages der bezüglichen Zollgebühren oder durch Sicherheitsstellung gewährleistet werden. || Ferner werden Musterkarten und Muster in Abschnitten und Proben, sofern sie nur zum Gebrauch als solche geeignet sind, beiderseits frei von Eingangsabgaben zugelassen, auch wenn ihre Einbringung auf anderem als dem im vorausgehenden Absatz bezeichneten Wege erfolgt.

Artikel IX.

Wird innerhalb der Gebiete eines der vertragschliessenden Teile im ganzen Lande oder in einem beschränkten Umkreise, sei es für Rechnung des Staates oder für Rechnung einer Gemeinde oder Korporation, von der Hervorbringung, der Herstellung oder dem Verbrauch eines Artikels eine innere Abgabe erhoben, so darf der gleiche Artikel, wenn er aus den Gebieten des anderen Teiles eingeführt wird, in diesem Lande oder diesem Umkreise nur mit einer gleichen und mit keiner höheren oder lästigeren Abgabe belegt werden. || Keinerlei Abgaben dürfen erhoben werden, falls in diesem Lande oder in diesem Umkreise Artikel derselben Art nicht erzeugt oder hergestellt werden, oder, wenn sie auch daselbst erzeugt oder hergestellt werden, nicht von derselben Abgabe getroffen sind.

Artikel X.

Alle Gegenstände, welche in japanische Häfen auf japanischen Schiffen gesetzmässig eingeführt werden oder eingeführt werden dürfen, können in diese Häfen auch auf deutschen Schiffen eingeführt werden, ohne anderen oder höheren Zöllen oder Abgaben, gleichviel welcher Benennung, unterworfen zu sein, als wenn diese Gegenstände auf japanischen Schiffen eingeführt würden; und umgekehrt können alle Gegenstände, welche in deutsche Häfen auf deutschen Schiffen gesetzlich eingeführt werden oder eingeführt werden dürfen, in diese Häfen auch auf japanischen Schiffen eingeführt werden, ohne anderen oder höheren Zöllen oder Abgaben, gleichviel welcher Benennung, unterworfen zu sein, als wenn diese Gegenstände auf deutschen Schiffen eingeführt würden. Diese gegenseitige gleiche Behandlung erfolgt ohne Unterschied, ob die betreffenden Gegenstände unmittelbar von dem Ursprungsort oder von einem anderen Platze kommen. || Ebenso soll eine völlig gleiche Behandlung auch hinsichtlich der Ausfuhr herrschen, so dass in den Gebieten eines jeden der

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vertragschliessenden Teile bei der Ausfuhr eines Gegenstandes, welcher gesetzmässig aus denselben ausgeführt wird, dieselben Ausfuhrzölle gezahlt und dieselben Ausfuhrvergütungen und Rückzölle gewährt werden sollen, gleichviel, ob die Ausfuhr auf japanischen oder auf deutschen Schiffen erfolgt, und ohne Rücksicht auf den Bestimmungsort, mag dieser ein Hafen der vertragschliessenden Teile oder einer dritten Macht sein.

Artikel XI.

Keine Tonnen-, Hafen-, Lotsen-, Leuchtturm-, Quarantäne- oder ähnliche Gebühren irgend welcher Art oder Bezeichnung, die, sei es im Namen oder im Interesse des Staates, sei es in demjenigen von öffentlichen Beamten, von Privaten, von Korporationen oder von Instituten irgend einer Art erhoben werden, dürfen in den Gebieten des einen Landes den Schiffen des anderen Landes auferlegt werden, sofern dieselben nicht in den gleichen Fällen ebenso und unter denselben Bedingungen den inländischen Schiffen und den Schiffen der meistbegünstigten Nation auferlegt werden. Diese Gleichförmigkeit in der Behandlung soll gegenseitig auf die beiderseitigen Schiffe Anwendung finden, ohne Rücksicht darauf, von welchem Hafen oder Platze dieselben ankommen und wohin sie bestimmt sind.

Artikel XII.

Rücksichtlich des Ankerplatzes, des Ladens und Löschens der Schiffe in den Häfen, Bassins, Docks, Rheden und Flüssen der Gebiete beider Länder soll den inländischen Schiffen kein Vorrecht gewährt werden, das nicht in gleicher Weise den Schiffen des anderen Landes gewährt wird; die Absicht der vertragschliessenden Teile geht dahin, dass auch in dieser Hinsicht die beiderseitigen Schiffe auf dem Fusse völliger Gleichheit behandelt werden sollen.

Artikel XIII.

Der Küstenhandel der beiden vertragschliessenden Teile wird durch die Bestimmungen des gegenwärtigen Vertrages nicht berührt; derselbe soll den Gesetzen, Verordnungen und Reglements jedes der beiden Länder unterworfen sein. Es ist jedoch vereinbart, dass japanische Staatsangehörige in Deutschland und deutsche Reichsangehörige in Japan in dieser Beziehung die Rechte geniessen sollen, welche in Gemässheit jener Gesetze, Verordnungen und Reglements den Angehörigen irgend eines anderen Landes bewilligt sind oder künftig bewilligt werden. || Ein japanisches Schiff, welches in einem fremden Lande mit Gütern für zwei oder mehr deutsche Häfen befrachtet ist, und ein deutsches Schiff, welches in einem fremden Lande mit Gütern für zwei oder mehr japanische Häfen befrachtet ist, darf einen Teil seiner Ladung in einem der Bestimmungshäfen löschen und seine Reise nach dem anderen oder nach den anderen Häfen, sofern daselbst die Einfuhr oder Ausfuhr von Waren gestattet ist, behufs Löschung des Restes seiner ursprünglichen Ladung fortsetzen, in allen Fällen unter Beachtung der Gesetze und Zollordnungen der beiden Länder. || Die japanische Regierung willigt indessen darein, dass deutsche Schiffe

nach wie vor für die Dauer des gegenwärtigen Vertrages Ladung zwischen den gegenwärtig geöffneten Häfen befördern dürfen, ausgenommen nach oder von den Häfen von Osaka, Niigata und Ebisu-minato.

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Artikel XIV.

Kriegs- oder Kauffahrteischiffe eines jeden der vertragschliessenden Teile, welche durch stürmisches Wetter oder durch irgend einen anderen Unfall genötigt werden, in einem Hafen des anderen Teiles Zuflucht zu suchen, sollen die Befugnis haben, daselbst Ausbesserungen vorzunehmen, sich alle nötigen Vorräte zu verschaffen und wieder in See zu gehen, ohne irgend welche Gebühren zu bezahlen als diejenigen, welche von inländischen Schiffen zu entrichten sein würden. Falls jedoch der Führer eines Kauffahrteischiffes sich genötigt sehen sollte, über einen Teil seiner Ladung zu verfügen, um Ausgaben zu bestreiten, so soll er verpflichtet sein, sich nach den Verordnungen und Tarifen des Ortes, wohin er gekommen ist, zu richten. || Wenn ein Kriegs- oder Kauffahrteischiff des einen der vertragschliessenden Teile an den Küsten des anderen strandet oder Schiffbruch leidet, so sollen die Ortsbehörden den Generalkonsul, Konsul, Vicekonsul oder Konsularagenten des Bezirks, in welchem der Unfall stattgefunden hat, oder, wenn es derartige Konsularbeamte dort nicht giebt, den Generalkonsul, Konsul, Vicekonsul oder Konsularagenten des nächsten Bezirks benachrichtigen. || Alle Rettungsmassregeln bezüglich japanischer in den deutschen Küstengewässern verunglückter oder gestrandeter Schiffe sollen nach Massgabe der deutschen Gesetze, Verordnungen und Reglements Platz greifen, und umgekehrt sollen alle Rettungsmassregeln hinsichtlich deutscher, in den japanischen Küstengewässern verunglückter oder gestrandeter Schiffe in Gemässheit der japanischen Gesetze, Verordnungen und Reglements erfolgen. || Ein derartiges gestrandetes oder verunglücktes Schiff oder Fahrzeug und alle Teile desselben, sowie alle seine Ausrüstungsgegenstände und Zubehörungen, ferner alle Güter und Waren, welche davon gerettet worden sind, einschliesslich derer, welche in die See geworfen waren, oder der Erlös dieser Gegenstände, falls sie verkauft worden sind, ebenso alle an Bord eines solchen gestrandeten oder verunglückten Schiffes oder Fahrzeuges vorgefundenen Papiere sind den Eigentümern oder deren Beauftragten auszuhändigen, sobald sie von denselben beansprucht werden. Wenn diese Eigentümer oder Beauftragten sich nicht an Ort und Stelle befinden, so sind alle die gedachten Gegenstände den betreffenden Generalkonsuln, Konsuln, Vicekonsuln oder Konsularagenten, sofern die Herausgabe von denselben innerhalb der durch die Landesgesetze festgesetzten Frist verlangt wird, auszuhändigen, und diese Konsularbeamten, Eigentümer oder Beauftragten sollen nur die durch die Rettung und Erhaltung der Güter erwachsenen Kosten, einschliesslich des Bergelohnes, bezahlen, wie sie im Falle des Scheiterns eines inländischen Schiffes zu entrichten gewesen wären. || Die aus dem Schiffbruch geretteten Güter und Waren sollen von allen Zöllen befreit sein, sofern sie

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nicht für den Verbrauch deklariert werden, in welchem Falle sie die gewöhnlichen Abgaben zu entrichten haben. || Wenn ein Schiff oder Fahrzeug, welches im Eigentum von Angehörigen des einen der vertragschliessenden Teile steht, in den Küstengewässern des anderen strandet oder verunglückt, so sollen die betreffenden Generalkonsuln, Konsuln, Vicekonsuln und Konsularagenten, falls der Eigentümer oder der Schiffsführer oder ein anderer Beauftragter des Eigentümers nicht anwesend ist, ermächtigt sein, amtlichen Beistand zu leisten, damit den Angehörigen des betreffenden Landes die erforderliche Unterstützung gewährt wird. Derselbe Grundsatz soll in dem Falle Anwendung finden, wenn der Eigentümer, Schiffsführer oder sonstige Beauftragte zugegen ist, indes solchen Beistand nachsucht.

Artikel XV.

Alle Schiffe, welche nach deutschem Recht als deutsche, und alle Schiffe, welche nach japanischem Recht als japanische Schiffe anzusehen sind, sollen im Sinne dieses Vertrages als deutsche beziehungsweise japanische Schiffe gelten.

Artikel XVI.

Die vertragschliessenden Teile kommen darin überein, dass in allen auf Handel und Schiffahrt bezüglichen Angelegenheiten jede Art von Vorrecht, Begünstigung oder Befreiung, welche der eine vertragschliessende Teil der Regierung, den Schiffen oder den Angehörigen irgend eines anderen Staates gegenwärtig eingeräumt hat oder in Zukunft einräumen wird, sofort und bedingungslos auf die Regierung, die Schiffe oder die Angehörigen des anderen vertragschliessenden Teiles ausgedehnt werden soll, da es ihre Absicht ist, dass Handel und Schiffahrt eines jeden Landes von dem anderen in allen Beziehungen auf den Fuss der meistbegünstigten Nation gestellt werden sollen.

Artikel XVII.

Die Angehörigen des einen der vertragschliessenden Teile sollen in den Gebieten des anderen in Bezug auf den Schutz von Erfindungen, von Mustern (einschliesslich der Gebrauchsmuster) und Modellen, von Handels- und Fabrikmarken, von Firmen und Namen dieselben Rechte, wie die eigenen Angehörigen unter der Voraussetzung geniessen, dass sie die hierfür vom Gesetz vorgesehenen Bedingungen erfüllen.

Artikel XVIII.

Die vertragschliessenden Teile sind über Folgendes einverstanden. || Die einzelnen Fremdenniederlassungen in Japan sollen den betreffenden japanischen Gemeinden einverleibt werden und hinfort Bestandteile der japanischen Gemeinden bilden. || Die zuständigen japanischen Behörden sollen demnach mit Bezug auf dieselben alle Verbindlichkeiten und Verpflichtungen übernehmen, welche ihnen hinsichtlich der Gemeinden obliegen, und gleichzeitig sollen die öffentlichen Gelder und Vermögensgegenstände, welche diesen Niederlassungen gehören, den genannten japanischen Behörden übergeben werden. || Sobald diese

Einverleibung erfolgt, sollen die bestehenden, zeitlich unbegrenzten Überlassungsverträge, unter welchen jetzt in den gedachten Niederlassungen Grundstücke besessen werden, bestätigt und hinsichtlich dieser Grundstücke sollen keine Bedingungen irgend einer anderen Art auferlegt werden, als sie in den bestehenden Überlassungsverträgen enthalten sind. || Die Besitzrechte an diesen Niederlassungsgrundstücken können in Zukunft von ihren Besitzern frei und, ohne dass es dazu, wie bisher in gewissen Fällen, der Genehmigung der konsularischen oder japanischen Behörden bedarf, an Inländer oder Ausländer veräussert werden. || Im Übrigen gehen die nach den ursprünglichen Überlassungsverträgen den Konsularbehörden zustehenden Funktionen auf die japanischen Behörden über. || Alle Ländereien, welche von der japanischen Regierung für öffentliche Zwecke der Fremdenniederlassung bisher zinsfrei hergegeben worden sind, sollen, unbeschadet der aus der Gebietshoheit sich ergebenden Rechte, frei von allen Steuern und Lasten den öffentlichen Zwecken, für welche sie ursprünglich bestimmt worden, dauernd erhalten bleiben.

Artikel XIX.

Der gegenwärtige Vertrag erstreckt sich auch auf die mit einem der vertragschliessenden Teile gegenwärtig oder künftig zollgeeinten Gebiete.

Artikel XX.

Der gegenwärtige Vertrag tritt vom Tage seines vollen Inkrafttretens ab an die Stelle des Vertrages vom 20. Februar 1869, sowie derjenigen Abkommen und Übereinkünfte, welche in Ergänzung des letzteren Vertrages abgeschlossen sind oder bestehen. Von demselben Tage ab verlieren jene früheren Vereinbarungen ihre Wirksamkeit, und demgemäss hört alsdann die bis dahin in Japan ausgeübte Gerichtsbarkeit deutscher Gerichtsbehörden auf und erreichen alle ausnahmsweisen Privilegien, Befreiungen und Immunitäten, die bis dahin die deutschen Reichsangehörigen als einen Bestandteil oder einen Ausfluss dieser Gerichtsbarkeit genossen, ohne weiteres ihre Endschaft. Diese Gerichtsbarkeit wird alsdann von japanischen Gerichten übernommen und ausgeübt werden.

Artikel XXI.

Der gegenwärtige Vertrag mit Ausnahme des Artikels XVII soll — jedoch nicht vor dem 17. Juli 1899 — in Kraft treten nach Ablauf eines Jahres, nachdem die Regierung Seiner Majestät des Kaisers von Japan der Regierung Seiner Majestät des Deutschen Kaisers, Königs von Preussen, von ihrem Wunsche, den Vertrag in Kraft zu setzen, Anzeige gemacht hat. Der Vertrag soll von seinem Inkrafttreten ab 12 Jahre in Geltung bleiben. || Jeder der vertragschliessenden Teile soll das Recht haben, zu irgend einer Zeit, nachdem 11 Jahre vom Tage des Inkrafttretens des Vertrages verflossen sind, dem anderen seine Absicht, diesen Vertrag aufhören zu lassen, anzukündigen, und mit Ablauf von 12 Monaten nach erfolgter Kündigung soll der gegen-

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wärtige Vertrag gänzlich aufhören und endigen. || Der Artikel XVII des gegenwärtigen Vertrages soll schon mit dem Tage des Austausches der Ratifikationen in Kraft treten und, sofern nicht von den vertragschliessenden Teilen noch ein anderes vereinbart werden sollte, so lange in Geltung bleiben, bis die übrigen Bestimmungen des Vertrages ihre Wirksamkeit verlieren.

Artikel XXII.

Der gegenwärtige Vertrag soll ratifiziert und die Ratifikations-Urkunden sollen in Berlin sobald als möglich ausgetauscht werden. || Zu Urkund dessen haben die beiderseitigen Bevollmächtigten diesen Vertrag unterzeichnet und mit ihren Siegeln versehen. || So geschehen zu Berlin in doppelter Ausfertigung am 4. April 1896.

(L. S.) Freiherr von Marschall. (L. S.) Vicomte Aoki.

Nr. 11066. DEUTSCHES REICH und JAPAN. — Protokoll zu dem Handels- und Schiffahrtsvertrage zwischen dem Deutschen Reich und Japan.

Berlin, 4. April, 1896.

Nr. 11066. Deutsches Reich und Japan. 4. April 1896.

Die unterzeichneten Bevollmächtigten haben gleichzeitig mit dem Handels- und Schiffahrtsvertrage vom heutigen Tage noch folgende Bestimmungen vereinbart:

1. Zu Artikel I des Vertrages.

Die japanische Regierung ist damit einverstanden, noch vor der Eröffnung des Landes für deutsche Reichsangehörige das bestehende Passsystem derartig zu erweitern, dass deutsche Reichsangehörige, welche ein Empfehlungszeugnis des deutschen Vertreters in Tokio oder eines deutschen Konsuls in den geöffneten japanischen Häfen vorlegen, auf Antrag von dem japanischen Auswärtigen Amt in Tokio oder von den Oberbehörden des Bezirks, in welchem ein offener Hafen liegt, für jeden Teil des Landes und für einen 12 Monate nicht überschreitenden Zeitraum gültige Pässe erhalten; es besteht Einverständnis, dass die bestehenden Regeln und Vorschriften, welche für die das Innere des Reiches besuchenden deutschen Reichsangehörigen massgebend sind, aufrecht erhalten bleiben sollen.

2. Zu Artikel I und III.

Zwischen den vertragschliessenden Teilen besteht Einverständnis darüber, dass die Angehörigen des einen Teiles in den Gebieten des anderen Teiles auch zu dem Erwerb und Besitz von Hypothekenrechten an unbeweglichen Sachen in gleicher Weise wie die Inländer zugelassen werden sollen.

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3. Zu Artikel V.

Die vertragschliessenden Teile sind übereingekommen, dass sechs Monate nach dem Austausch der Ratifikationen des heute unterzeichneten Handels- und Schiffahrtsvertrages der hier beigefügte Einfuhrtarif — unbeschadet der Bestimmungen des Artikels XIX des zwischen den vertragschliessenden Teilen gegenwärtig bestehenden Vertrages von 1869, solange der genannte Vertrag in Kraft bleibt, und danach, gemäss den Bestimmungen der Artikel V und XVI des heute unterzeichneten Vertrages — auf die darin genannten Gegenstände, soweit sie deutsche Boden- oder Industrieerzeugnisse sind, bei der Einfuhr nach Japan Anwendung finden soll. Nichts in diesem Protokoll oder dem beigefügten Tarif soll indessen das Recht der japanischen Regierung beeinträchtigen, die Einfuhr folgender Gegenstände zu verbieten oder zu beschränken, nämlich: von verfälschten Drogen, Medikamenten, Lebensmitteln oder Getränken; unanständigen oder unzüchtigen Drucksachen, Bildern, Büchern, Karten, Lithographien oder Stichen, Photographien oder irgend welchen unanständigen oder unzüchtigen Gegenständen; von Gegenständen, deren Einfuhr im Widerspruch mit den japanischen Gesetzen über den Schutz der Erfindungen, Handelsmarken oder Urheberrechte stehen würde; oder von sonstigen Gegenständen, die in sanitärer Hinsicht oder für die öffentliche Sicherheit oder Moral gefährlich sein könnten. || Die in dem genannten Tarif aufgeführten Wertzölle sollen, soweit als es für thunlich erachtet wird, in spezifische Zölle, die in der gegenwärtigen japanischen Silberwährung zu berechnen sind, durch eine Nachtragskonvention umgewandelt werden, welche zwischen den beiden Regierungen sobald als möglich abgeschlossen werden soll; als Grundlage für diese Umwandlung sollen die Durchschnittspreise genommen werden, welche in den japanischen Zollübersichten während der dem Tage des gegenwärtigen Protokolls vorhergehenden sechs Kalendermonate nachgewiesen worden sind, unter Zuschlag der Kosten für Versicherung und Transport vom Kauf-, Erzeugungs- oder Fabrikationsplatze bis zum Landungshafen, sowie eventuell der Kommissionsspesen. || Es besteht jedoch Einverständnis darüber, dass hinsichtlich der unter den Nummern 2, 11, 18, 19, 20, 21, 24, 30, 31, 34, 35, 38, 39, 40, 41, 44, 47, 48, 56, 59 des beigefügten Tarifs aufgeführten Gegenstände die zwischen Japan und Grossbritannien vereinbarte Umrechnung der Wertzölle in spezifische Zölle für die deutsche Einfuhr massgebend sein soll. || Solange und soweit die Umwandlung in spezifische Zölle nicht erfolgt ist, sollen die Wertzölle in Gemässheit der am Schlusse des beigefügten Tarifs aufgeführten Vorschrift erhoben werden. || Für die in dem beigefügten Tarif nicht aufgeführten Gegenstände soll, unbeschadet der Bestimmungen des Artikels XIX des Vertrages von 1869 und der Artikel V und XVI des heute unterzeichneten Vertrages, sechs Monate nach dem Austausch der Ratifikationen des letzteren der japanische Generaltarif Geltung erlangen, mit der Massgabe jedoch, dass dieser Generaltarif sowie etwaige spätere Abänderungen desselben sechs Monate zuvor bekannt gemacht sein müssen, ehe sie auf die deutsche Einfuhr in Japan zur Anwendung ge-

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bracht werden dürfen. || Sobald und soweit die vorgenannten Tarife Geltung erlangen, soll der jetzt in Japan für deutsche Güter und Waren geltende Tarif seine Wirksamkeit verlieren. || In allen anderen Beziehungen sollen die Bestimmungen des bestehenden Vertrages und der dazu nachträglich getroffenen Vereinbarungen bedingungslos bis zum Inkrafttreten des heute unterzeichneten Handels- und Schiffahrtsvertrages in Wirksamkeit bleiben.

4. Zu Artikel XVII.

Es besteht Einverständnis darüber, dass in jedem der beiden vertragschliessenden Länder den Angehörigen des anderen Teiles der Schutz von Erfindungen, von Mustern (einschliesslich der Gebrauchsmuster) und Modellen, von Handels- und Fabrikmarken, von Firmen und Namen dann gewährt werden muss, wenn die hierfür vom Gesetz vorgesehenen Bedingungen erfüllt sind. || Übrigens behalten sich die vertragschliessenden Teile den Abschluss eines besonderen Vertrages über die gegenseitigen Beziehungen auf dem Gebiete des Patent-, Muster- und Markenschutzes vor und werden seinerzeit in entsprechende Verhandlungen eintreten. || Ferner erklärt die japanische Regierung, dass sie, bevor die deutsche Konsulargerichtsbarkeit in Japan in Wegfall kommt, der internationalen Berner Konvention, betreffend das Urheberrecht (geistiges Eigentum), beitreten werde.

5. Zu Artikel XX.

Es besteht Einverständnis darüber, dass trotz des mit dem vollen Inkrafttreten des heute unterzeichneten Handels- und Schiffahrtsvertrages an sich eintretenden Wegfalls der in Japan ausgeübten Gerichtsbarbeit deutscher Gerichtsbehörden dennoch diese Gerichtsbarkeit bezüglich aller Angelegenheiten, welche zur Zeit des vollen Inkrafttretens des Vertrages bereits rechtshängig sind, bis zur endgültigen Entscheidung fortdauern soll. || Die unterzeichneten Bevollmächtigten sind übereingekommen, dass dieses Protokoll den beiden vertragschliessenden Teilen zugleich mit dem heute unterzeichneten Handels- und Schiffahrtsvertrag vorgelegt werden soll, und dass, wenn der genannte Vertrag ratifiziert wird, die in dem Protokoll enthaltenen Vereinbarungen in gleicher Weise als genehmigt angesehen werden sollen, ohne dass es einer weiteren förmlichen Ratifikation bedarf. || Auch wird vereinbart, dass die Bestimmungen dieses Protokolls zu gleicher Zeit mit dem Aufhören der Wirksamkeit des genannten Vertrages ausser Kraft treten. || Zu Urkund dessen haben die beiderseitigen Bevollmächtigten dasselbe unterzeichnet und ihre Siegel beigedrückt. || So geschehen zu Berlin in doppelter Ausfertigung am 4. April 1896.

(L. S.) Freiherr von Marschall. (L. S.) Vicomte Aoki.

Nr. 11067. **DEUTSCHES REICH** und **JAPAN.** — Zölle bei der Einfuhr in Japan.

4. April 1896.

Laufende Nummer.	Gegenstände.	Wertzölle Prozent.
	Baumwollene Gewebe:	
1.	Sammet und sammetartige Gewebe (velvets, velveteens)	10
2.	Baumwollene Gewebe aller Art, in diesem Tarif nicht anderweitig aufgeführt, rein oder gemischt mit Flachs, Hanf oder anderen Spinnstoffen einschliesslich Wolle, die Baumwolle jedoch vorherrschend	10
3.	Blei, roh, in Blöcken und Tafeln	5
	Chemikalien und Medizinalwaren:	
4.	Amorpher Phosphor	10
5.	Basisch-salpetersaures Wismuth-Oxyd (subnitrate of bismuth)	10
6.	Bromverbindungen (bromide)	10
7.	Chinin	8
8.	Chlorsaures Kali	10
9.	Dynamit	10
10.	Jodkalium	10
11.	Kalisalpeter	5
12.	Salicylsäure	10
	Draht:	
13.	Telegraphendraht	5
14.	Eisen- und Stahldraht, sowie schwache Stäbe aus Eisen oder Stahl, von nicht mehr als $^1/_4$ Zoll englisch im Durchmesser, ...	10
	Eisen und Stahl:	
15.	roh und Ingots	5
16.	Schienen	5
	Stangen, Stäbe, Platten und Bleche:	
17.	aus Eisen	$7^1/_2$
18.	aus Stahl	$7^1/_2$
19.	Galvanisiertes Blech, sowohl glattes als Wellblech .	10
20.	Verzinntes Blech	10
21.	Röhren	10
22.	Eisenbahn-Personenwagen, sowie Theile davon . . .	5
23.	Eiserne Nägel, auch Drahtstifte	10

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Laufende Nummer.	Gegenstände.	Wertzölle Prozent.
24.	Eiserne Schrauben, Bolzen und Muttern, auch galvanisiert	10
	Fensterglas, gewöhnliches:	
25.	nicht gefärbt und nicht bunt	8
26.	gefärbt, bunt oder geschliffen	10
	Farben und Farbwaren:	
27.	Anilinfarben	10
28.	Alizarinfarben	10
29.	Blauholzextrakt	10
30.	Oelfarbe	10
	Garne:	
31.	aus Baumwolle	8
32.	aus Leinen, Hanf oder Jute für Webezwecke	8
	aus Wolle, auch Kammwolle:	
33.	für Webezwecke	8
34.	für andere Zwecke	8
35.	Garne aller Art, in diesem Tarif nicht anderweitig aufgeführt	10
36.	Halbseidener Atlas, aus Baumwolle mit obenliegender Seide (silk faced cotton satins)	10
37.	Hopfen	5
38.	Hüte, einschliesslich Filzhüte	10
39.	Kautschuckwaren	10
40.	Leinene Gewebe	10
	Leder:	
41.	Sohlleder	15
42.	anderes	10
43.	Lokomotiven, sowie Teile davon	5
	Milch:	
44.	kondensiert oder eingedampft	5
45.	sterilisiert	5
46.	Papier aller Art	10
47.	Paraffinöl	10
48.	Paraffinwachs	5
49.	Portlandcement	5
50.	Uhren, mit Ausnahme von Taschenuhren, sowie Teile davon	10

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Laufende Nummer.	Gegenstände.	Wertzölle Prozent.
	Wollene, auch kammwollene Gewebe aller Art, rein oder gemischt mit anderem Material, die Wolle jedoch vorherrschend:	
51.	Decken	10
52.	Flanell	10
53.	Musselin	10
54.	Tuch	10
55.	Zanella (italian cloth)	10
56.	andere Gewebe	10
	Zink:	
57.	in Mulden, Blöcken und Tafeln	5
58.	in Blechen	$7^1/_2$
59.	Zucker, raffiniert	10

Vorschrift für die Berechnung der Wertzölle.

Die nach diesem Tarif zu zahlenden Wertzölle sollen berechnet werden von dem wirklichen Preise der Gegenstände an dem Kauf-, Erzeugungs- oder Fabrikationsplatze unter Zuschlag der Kosten für Versicherung und Transport vom Kauf-, Erzeugungs- oder Fabrikationsplatze bis zum Landungshafen, sowie eventuell der Kommissionsspesen.

Nr. 11068. DEUTSCHES REICH. — Der Staatssekretär des Auswärtigen an den japanischen Bevollmächtigten. Klarstellung einiger Bestimmungen.

Berlin, den 4. April 1896.

Nr. 11068. Deutsches Reich. 4. April 1896.

Im Begriff, zur Unterzeichnung des vereinbarten Handels- und Schiffahrtsvertrages zwischen dem Deutschen Reich und Japan zu schreiten, hält es der unterzeichnete Staatsminister, Staatssekretär des Auswärtigen Amtes des Deutschen Reichs für wünschenswert, noch einige, bereits im Lauf der Verhandlungen erörterte Punkte ausser Zweifel zu stellen, indem er folgenden Voraussetzungen Ausdruck giebt, nämlich: ‖ 1. dass, wenn auch den Fremden in Japan nach den zur Zeit dort geltenden Gesetzen der Erwerb des Eigentums an Grundstücken noch versagt ist, hierdurch die Befugnis der deutschen Reichsangehörigen nicht berührt wird, daselbst, zur Erreichung der in Artikel I und III des Vertrages angegebenen Zwecke, gleich den Inländern und nach Massgabe der jeweiligen landesgesetzlichen Bestimmungen emphyteutische, superficiarische und sonstige dingliche Rechte an Grundstücken zu erwerben und persönlichen Miets- oder Pachtrechten an Grundstücken durch Eintragung in die hierfür bestimmten Register den Charakter dinglicher Rechte zu ver-

Nr. 11068. Deutsches Reich. 4. April 1896.

schaffen; || 2., dass die Kaiserlich Japanische Regierung darauf Bedacht nehmen wird, in allen für den Handel besonders wichtigen Plätzen ihres Landes, den Bedürfnissen des Verkehrs entsprechend, Warenhäuser und zollfreie Niederlagen zu errichten; || 3., dass, da das Eigentum an den in Artikel XVIII des Vertrages erwähnten Niederlassungsgrundstücken dem japanischen Staate verbleibt, die Besitzer oder deren Rechtsnachfolger für ihre Grundstücke ausser dem kontraktmässigen Grundzins Abgaben oder Steuern irgend welcher Art nicht zu entrichten haben werden; || 4., dass die vor oder unter der Herrschaft des Vertrages wohl erworbenen Rechte der Angehörigen des einen Teils in den Gebieten des anderen Teils auch nach Ablauf des Vertrags unverändert bestehen bleiben. || Indem der Unterzeichnete einer gefälligen Äusserung des ausserordentlichen Gesandten und bevollmächtigten Ministers Seiner Majestät des Kaisers von Japan, Herrn Vicomte Aoki, darüber entgegensehen darf, ob die vorbezeichneten Voraussetzungen zutreffen, würde er es zugleich mit verbindlichstem Dank erkennen, darüber unterrichtet zu werden, welchen Zeitpunkt die Kaiserlich Japanische Regierung für die im ersten Absatz des Artikels XXI vorgesehene Anzeige in Aussicht genommen hat. || Der Unterzeichnete benutzt auch diesen Anlass, um Herrn Vicomte Aoki die Versicherung seiner ausgezeichnetsten Hochachtung zu erneuern.

Freiherr von Marschall.

An
den ausserordentlichen Gesandten und
bevollmächtigten Minister
Seiner Majestät des Kaisers von Japan.
Herrn Vicomte Aoki.

Nr. 11069. JAPAN. — Der japanische Bevollmächtigte an den deutschen Staatssekretär des Auswärtigen. Antwort auf das vorige.

Berlin, den 4. April 1896.

Nr. 11069. Japan. 4. April 1896.

Der unterzeichnete ausserordentliche Gesandte und bevollmächtigte Minister Seiner Majestät des Kaisers von Japan beehrt sich Seiner Excellenz dem Staatsminister, Staatssekretär des Auswärtigen Amts des Deutschen Reichs, Herrn Freiherrn Marschall von Bieberstein, auf die Note vom heutigen Tage zu erwidern, dass die darin unter Nummer 1 bis 4 zum Ausdruck gebrachten Voraussetzungen, welche den Erwerb dinglicher Rechte an Grundstücken, die Errichtung von Warenhäusern, die Steuerfreiheit der Grundstücke in den Fremdenniederlassungen und die Erhaltung wohlerworbener Rechte nach Ablauf des Vertrags zum Gegenstande haben, in allen Punkten zutreffend sind. || Gleichzeitig unterlässt der Unterzeichnete nicht, kraft besonderer Ermächtigung der Kaiserlich Japanischen Regierung, mit Rücksicht auf die entsprechende Anfrage des Herrn Freiherrn von Marschall, Folgendes mitzuteilen; || Die Kaiserlich Japanische Regierung hält es für wünschenswert, dass die Gesetzbücher des Japanischen Reichs thatsächlich in Wirksamkeit sind, sobald das zwischen

Japan und Deutschland gegenwärtig bestehende Vertragsverhältnis seine Geltung verliert; sie verpflichtet sich deshalb, die im ersten Absatz des Artikels XXI des Vertrages vorgesehene Anzeige nicht eher zu machen, als bis diejenigen Teile der genannten Gesetzbücher, welche sich jetzt noch in Vorbereitung befinden, in Kraft gesetzt sein werden. || Der Unterzeichnete benutzt auch diesen Anlass, um Seiner Excellenz dem Herrn Freiherrn von Marschall die Versicherung seiner ausgezeichnetsten Hochachtung zu erneuern.

Nr. 11069. Japan. 4. April 1896.

Vicomte Aoki.

An
Seine Excellenz den Staatsminister, Staatssekretär des
Auswärtigen Amts des Deutschen Reichs,
Herrn Freiherrn Marschall von Bieberstein.

Nr. 11070. DEUTSCHES REICH und JAPAN. — Konsularvertrag zwischen dem Deutschen Reich und Japan.

4. April 1896.

Nr. 11070. Deutsches Reich und Japan. 4. April 1896.

Seine Majestät der Deutsche Kaiser, König von Preussen, im Namen des Deutschen Reichs, und Seine Majestät der Kaiser von Japan, von dem gleichen Wunsche geleitet, über die wechselseitige Zulassung von Konsularbeamten und über die Befugnisse, Vorrechte und Befreiungen, welche diese Beamten in Deutschland und Japan bei Ausübung ihrer Amtsverrichtungen geniessen sollen, genauere Bestimmungen zu treffen, haben beschlossen, einen Konsularvertrag abzuschliessen, und haben zu diesem Zweck zu ihren Bevollmächtigten ernannt, nämlich: || Seine Majestät der Deutsche Kaiser, König von Preussen: || Allerhöchstihren Staatsminister, Staatssekretär des Auswärtigen Amtes, Herrn Adolf Freiherrn Marschall von Bieberstein, || und || Seine Majestät der Kaiser von Japan: || Allerhöchstihren ausserordentlichen Gesandten und bevollmächtigten Minister bei Seiner Majestät dem Deutschen Kaiser, König von Preussen, Herrn Vicomte Siuzo Aoki, || welche nach gegenseitiger Mitteilung ihrer in guter und gehöriger Form befundenen Vollmachten die nachstehenden Artikel vereinbart und festgestellt haben:

Artikel I.

Jeder der vertragschliessenden Teile kann Generalkonsuln, Konsuln, Vicekonsuln und Konsularagenten in allen Häfen, Städten und Plätzen des anderen Teils bestellen, mit Ausnahme derjenigen Orte, wo es nicht angemessen erscheinen sollte, solche Beamte anzuerkennen. Dieser Vorbehalt soll jedoch auf keinen der vertragschliessenden Teile angewendet werden, ohne jeder anderen Macht gegenüber ebenfalls Anwendung zu finden. || Die beiderseitigen Generalkonsuln, Konsuln, Vicekonsuln und Konsularagenten, ingleichen die Konsulatskanzler, Sekretäre, Büreaubeamten und Attachés sollen in beiden Ländern alle Vorrechte, Immunitäten und Privilegien geniessen, welche den

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Beamten desselben Ranges der meistbegünstigten Nation bewilligt sind oder in Zukunft bewilligt werden.

Artikel II.

Die Generalkonsuln, Konsuln, Vicekonsuln und Konsularagenten sollen nach Vorlegung ihrer mit Beobachtung der in ihren bezüglichen Ländern bestehenden Förmlichkeiten ausgefertigten Bestallung gegenseitig zugelassen und anerkannt werden. Das erforderliche Exequatur soll ihnen kostenfrei erteilt werden, und alsdann sollen sie die gegenseitig zugesicherten Rechte, Vorrechte und Immunitäten geniessen. || Bei Vorlegung der Bestallung soll gleichzeitig eine Mitteilung über den dem Konsularbeamten zugewiesenen Amtsbezirk gemacht werden; etwaige spätere Veränderungen des Amtsbezirks sollen gleichfalls mitgeteilt werden. || Die das Exequatur erteilende Regierung soll zur Zurücknahme desselben befugt sein unter Darlegung der Gründe, aus denen sie für angemessen erachtet hat, so zu handeln.

Artikel III.

Konsularbeamte, welche Angehörige desjenigen vertragschliessenden Teils sind, der sie ernannt hat, sollen frei von Verhaftung oder Gefangenhaltung in bürgerlichen Rechtsstreitigkeiten und von Untersuchungshaft in Strafsachen sein, ausgenommen in Fällen strafbarer Handlungen, welche nach der Landesgesetzgebung als Verbrechen angesehen werden. Sie sollen ferner befreit von Militäreinquartierung und Kontributionen sein, und vorausgesetzt dass sie nicht Handel, Industrie oder ein anderes Gewerbe, beziehungsweise eine ausseramtliche Erwerbsthätigkeit betreiben, sollen sie auch von persönlichen oder Luxusabgaben und von allen Leistungen und Beiträgen befreit sein, welche einen direkten oder persönlichen Charakter haben. Diese Befreiung soll sich dagegen nicht auf Zölle, Verbrauchssteuern, örtliche Verzehrungsabgaben oder auf Auflagen hinsichtlich Grundeigentums erstrecken, das sie etwa in dem Lande ihres Amtssitzes erwerben oder besitzen. || Konsularbeamte, welche kaufmännische Geschäfte betreiben, sollen sich nicht auf ihre Konsularvorrechte berufen dürfen, um sich kaufmännischen Verbindlichkeiten zu entziehen. Im Falle der Verhaftung eines Konsuls oder Konsularbeamten soll die Gesandtschaft seines Landes hiervon sofort durch die Regierung desjenigen Landes, in welchem die Verhaftung stattgefunden hat, in Kenntnis gesetzt werden.

Artikel IV.

Die Generalkonsuln, Konsuln und ihre Kanzler oder Sekretäre, sowie die Vicekonsuln und Konsularagenten sind verbunden, vor Gericht Zeugnis abzulegen, wenn die Landesgerichte solches für erforderlich halten. Doch soll die Gerichtsbehörde in diesem Falle sie mittelst amtlichen Schreibens ersuchen, vor ihr zu erscheinen. || Für den Fall der Behinderung der gedachten Beamten durch Dienstgeschäfte oder Krankheit soll, jedoch nur in bürgerlichen Rechtsstreitigkeiten, die Gerichtsbehörde sich in ihre Wohnung begeben, um sie mündlich zu vernehmen, oder unter Beobachtung der einem jeden der beiden

Länder eigentümlichen Förmlichkeiten ihr schriftliches Zeugnis verlangen. Die gedachten Beamten haben dem Verlangen der Behörde in der ihnen bezeichneten Frist zu entsprechen und derselben ihre Aussage schriftlich, mit ihrer Unterschrift und ihrem amtlichen Siegel versehen, zuzustellen.

Artikel V.

Generalkonsuln, Konsuln, Vicekonsuln und Konsularagenten können über dem äusseren Eingange ihrer Amtsräume oder ihrer Wohnungen das Wappen ihrer Nation mit einer ihr Amt bezeichnenden Inschrift anbringen. || Sie dürfen auch die Flagge ihres Landes über dem Hause aufziehen, in dem sich das Konsularamt befindet. Desgleichen können sie ihre Flagge auf jedem Fahrzeuge aufziehen, dessen sie sich im Hafen in dienstlichen Angelegenheiten bedienen.

Artikel VI.

Die Konsulararchive sollen jederzeit unverletzlich sein, und unter keinem Vorwande soll es den Landesbehörden erlaubt sein, die Papiere, welche zu diesen Archiven gehören, zu durchsuchen oder mit Beschlag zu belegen. || Betreibt ein Konsularbeamter nebenbei Geschäfte, so sollen die auf das Konsulat bezüglichen Papiere unter besonderem Verschlusse, gesondert von den Privatpapieren, aufbewahrt werden. || Die Amtsräume und Wohnungen der Konsularbeamten, welche Angehörige des Landes sind, das sie ernannt hat, und nicht Handel, Industrie oder eine sonstige gewerbliche Thätigkeit nebenbei betreiben, sollen jederzeit unverletzlich sein. || Die Landesbehörden sollen, soweit es sich nicht um Verfolgung von Verbrechen handelt, unter keinem Vorwande dort eindringen. In keinem Falle dürfen sie die daselbst niedergelegten Papiere durchsuchen oder in Beschlag nehmen. Unter keinen Umständen jedoch dürfen die Amtsräume oder Wohnungen der Konsularbeamten als Asyl benutzt werden.

Artikel VII.

Im Falle des Todes, der Verhinderung, der Abwesenheit der Generalkonsuln, Konsuln, Vizekonsuln und Konsularagenten dürfen deren Kanzler oder Sekretäre, wenn ihr amtlicher Charakter zuvor zur Kenntnis der betreffenden Behörden in Deutschland oder in Japan gebracht worden ist, zeitweilig die Konsulargeschäfte wahrnehmen, und sie sollen während solcher Amtsführung die gleichen Rechte, Vorrechte und Immunitäten wie die von ihnen vertretenen Beamten geniessen, unter den für letztere geltenden Bedingungen und Vorbehalten.

Artikel VIII.

Die Generalkonsuln und Konsuln sollen mit Genehmigung ihrer Regierung und vorbehaltlich der Zustimmung der Landesregierung Konsulatsverweser als ihre Stellvertreter im Behinderungsfalle oder während zeitweiser Abwesenheit, sowie Konsularagenten in den Städten, Häfen und Plätzen innerhalb ihres Kon-

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sularbezirks bestellen dürfen. || Solche Konsulatsverweser oder Konsularagenten sollen von dem Konsul, der sie bestellt, oder von dessen Regierung mit einer Bestallung ausgestattet werden. Sie sollen die für die Konsularbeamten in diesem Vertrage vorgesehenen konsularischen Vorrechte geniessen, unter den für solche geltenden Ausnahmen und Vorbehalten.

Artikel IX.

Generalkonsuln, Konsuln, Vizekonsuln und Konsularagenten sollen das Recht haben, wegen Abhilfe irgend einer Verletzung der zwischen beiden Ländern bestehenden Verträge und Uebereinkünfte oder des Völkerrechts sich an die in ihrem Amtsbezirk fungierenden Gerichts- oder Verwaltungsbehörden des bezüglichen Landes zu wenden, Auskunft von denselben zu verlangen und an dieselben Anträge zum Schutz der Rechte und Interessen ihrer Landsleute zu richten. Falls ein solches Ansuchen die gebührende Beachtung nicht findet, sollen die vorgedachten Konsularbeamten bei etwaiger Abwesenheit eines diplomatischen Vertreters ihres Landes sich unmittelbar an die Regierung des Landes, wo sie ihren Sitz haben, wenden dürfen.

Artikel X.

Generalkonsuln, Konsuln, Vizekonsuln und Konsularagenten der beiden Länder oder deren Kanzler sollen, soweit sie nach den Gesetzen und Verordnungen ihres Landes dazu befugt sind, folgende Rechte haben: || 1. In ihren Amtsräumen oder an ihrem Amtssitze, an dem Wohnorte der Beteiligten oder an Bord der Nationalschiffe die Erklärungen der Schiffsführer, der Schiffsmannschaften, der Schiffspassagiere, von Kaufleuten oder sonstigen Angehörigen ihres Landes entgegenzunehmen. || 2. Einseitige Rechtsgeschäfte und letztwillige Verfügungen ihrer Landsleute sowie Verträge, die zwischen Angehörigen ihres eigenen Landes beziehungsweise zwischen diesen und Angehörigen oder anderen Einwohnern des Landes ihres Amtssitzes geschlossen werden, aufzunehmen und zu beglaubigen; desgleichen solche Verträge zwischen Personen der letzteren Kategorie, die sich auf ein im Gebiete der Nation, von welcher die gedachten Konsularbeamten bestellt sind, belegenes Grundeigentum oder auf ein daselbst abzuschliessendes Geschäft beziehen. || 3. Alle Schriftstücke, die von Behörden oder Beamten ihres Landes ausgegangen sind, zu übersetzen und zu beglaubigen. || Alle solche Urkunden, sowie Abschriften, Auszüge und Übersetzungen davon sollen, wenn sie von den gedachten Konsularbeamten gehörig beglaubigt und mit dem Amtssiegel des Konsulats versehen sind, in jedem der beiden Länder dieselbe Kraft und Geltung haben, als wenn sie vor einem öffentlichen Notar oder vor einem anderen öffentlichen oder gerichtlichen, in dem einen oder dem anderen der beiden Länder zuständigen Beamten aufgenommen oder beglaubigt wären, mit der Massgabe, dass sie dem Stempel und anderen in dem Lande, in welchem sie zur Ausführung gelangen sollen, gesetzlich bestehenden Gebühren und Auflagen unterworfen sind.

Artikel XI.

Diplomatische Vertreter, Generalkonsuln, Konsuln und Vicekonsuln haben, soweit sie nach den Gesetzen des vertragschliessenden Teiles, welcher sie ernannt hat, dazu befugt sind, das Recht, Eheschliessungen von Angehörigen dieses Teiles nach Massgabe der Gesetze desselben vorzunehmen. || Diese Bestimmung findet nicht auf solche Eheschliessungen Anwendung, bei welchen einer der Verlobten Angehöriger desjenigen vertragschliessenden Teiles ist, in dessen Gebiet der betreffende Beamte seinen Sitz hat. || Von allen nach Massgabe der vorstehenden Bestimmungen vorgenommenen Eheschliessungen soll der betreffende Beamte den Landesbehörden alsbald Anzeige erstatten.

Artikel XII.

Diplomatische Vertreter, Generalkonsuln, Konsuln und Vizekonsuln sollen das Recht haben, in Gemässheit der Gesetze und Verordnungen des vertragschliessenden Teils, welcher sie ernannt hat, Geburten und Todesfälle von Angehörigen dieses Teiles zu beurkunden. || Die nach den Landesgesetzen bestehende Verpflichtung der Beteiligten, von Geburten und Todesfällen den Landesbehörden Anzeige zu machen, wird hierdurch nicht berührt.

Artikel XIII.

Die Generalkonsuln, Konsuln oder Vizekonsuln sollen Vormünder und Pfleger für ihre Landesangehörigen bestellen können, auch befugt sein, nach Massgabe der Gesetze ihres eigenen Landes die Führung der Vormundschaft oder Pflegschaft zu beaufsichtigen.

Artikel XIV.

Stirbt ein Angehöriger eines der vertragschliessenden Teile in dem Gebiete des anderen Teils, so sollen nachstehende Vorschriften beobachtet werden:

a. Im Falle, dass ein Japaner in Deutschland oder ein Deutscher in Japan in oder in der Nähe eines Ortes verstirbt, an welchem ein Generalkonsul, Konsul, Vizekonsul oder Konsularagent der Nation des Verstorbenen seinen Amtssitz hat, so sollen die Lokalbehörden hiervon dem Konsularbeamten unverzüglich Nachricht geben. || Erhält der Konsularbeamte zuerst von dem Todesfall Kenntnis, so soll er in gleicher Weise die Lokalbehörden mit Nachricht versehen. || Die Konsularbeamten sollen das Recht haben, von Amtswegen oder auf Antrag der beteiligten Parteien, alle Effekten, Mobilien und Papiere des Verstorbenen unter Siegel zu legen, nachdem sie zuvor die zuständigen Lokalbehörden davon gebührend unterrichtet haben, denen das Recht zusteht, bei dem Vorgange zugegen zu sein und ihre Siegel gleichfalls anzulegen. || Die beiderseits angelegten Siegel dürfen ohne Mitwirkung der Lokalbehörden nicht abgenommen werden. Sollte jedoch die Lokalbehörde auf eine von den Konsularbeamten an sie ergangene Einladung, der Abnahme der beiderseits angelegten Siegel beizu-

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wohnen, innerhalb achtundvierzig Stunden — vom Empfange der Einladung an gerechnet — sich nicht eingefunden haben, so können die Konsularbeamten allein zu der gedachten Amtshandlung schreiten. Nach Abnahme der Siegel sollen die gedachten Beamten ein Verzeichnis aller Habe und Effekten des Verstorbenen aufnehmen und zwar in Gegenwart der Lokalbehörde, wenn diese in Folge der vorerwähnten Einladung anwesend ist. Die Lokalbehörden sollen die in ihrer Gegenwart aufgenommenen Protokolle mitzeichnen, sie sind aber nicht befugt, für ihre amtliche Mitwirkung bei dieser Amtshandlung Gebühren irgend welcher Art zu beanspruchen. || b. die zuständigen Lokalbehörden sollen die in dem Lande gebräuchlichen oder durch die Gesetze desselben vorgeschriebenen Bekanntmachungen bezüglich der Eröffnung des Nachlasses und des Aufrufs der Erben oder Gläubiger erlassen und diese Bekanntmachungen den Konsularbeamten mitteilen, ohne dadurch dem Rechte der letzteren auf Erlass gleichartiger Bekanntmachungen Abbruch zu thun. || c. Die Konsularbeamten können veranlassen, dass diejenigen beweglichen Gegenstände, deren Aufbewahrung in natürlichem Zustande mit erheblichen Kosten für die Nachlassmasse verbunden wäre, öffentlich in der durch Gesetz und Gebrauch des Landes vorgeschriebenen Weise versteigert werden. || d. Die Konsularbeamten sollen die inventarisierten Effekten und Wertgegenstände, den Betrag der eingegangenen Forderungen und Einkünfte, sowie den Erlös aus dem etwaigen Verkauf der Mobilien als ein den Landesgesetzen unterworfenes Depositum verwahren bis zum Ablauf einer Frist von zehn Monaten, von dem Tage der letzten Bekanntmachung an gerechnet, welche die Lokalbehörden hinsichtlich der Eröffnung des Nachlasses erlassen haben, oder in Ermangelung einer solchen Bekanntmachung, bis zum Ablauf einer Frist von zwölf Monaten seit dem Todestage. || Die Konsularbeamten sollen jedoch die Befugnis haben, die Kosten der ärztlichen Behandlung und der Beerdigung des Verstorbenen, den Lohn seiner Dienstboten, Mietzins, Gerichtskosten, Konsulatsgebühren und Kosten ähnlicher Art, sowie etwaige Ausgaben für den Unterhalt der Familie des Verstorbenen aus der Nachlassmasse sofort vorweg zu nehmen. || e. Vorbehaltlich der Bestimmungen des vorhergehenden Absatzes sollen die Konsularbeamten das Recht haben, alle Massnahmen zu treffen, die sie zur Erhaltung des beweglichen und unbeweglichen Nachlasses des Verstorbenen als im Interesse der Erben liegend erachten. Sie können den Nachlass entweder persönlich oder durch einen von ihnen erwählten und in ihrem Namen handelnden Vertreter verwalten, und sie sollen das Recht haben, die Auslieferung aller dem Verstorbenen zugehörigen Wertgegenstände zu verlangen, die sich in öffentlichen Kassen oder in den Händen von Privatpersonen befinden. || f. Wenn während der in Absatz d erwähnten Frist über etwaige Ansprüche von Landesangehörigen oder Angehörigen einer dritten Macht gegen den Nachlass Streit entstehen sollte, so haben die Landesgerichte ausschliesslich die Entscheidung über solche Ansprüche, soweit solche nicht auf einem Erbanspruch oder Vermächtnis beruhen. || Falls der Bestand der Hinterlassenschaft des Verstorbenen

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zur unverkürzten Bezahlung seiner Schulden nicht ausreichen sollte, sollen die Gläubiger, sofern die Gesetze des Landes es gestatten, bei den zuständigen Lokalbehörden die Eröffnung des Konkurses beantragen können. Nach erfolgter Konkurseröffnung sollen alle Schriftstücke, Effekten oder Werte der Nachlassmasse den zuständigen Lokalbehörden oder den Verwaltern der Konkursmasse überliefert werden, wobei es die Aufgabe der Konsularbeamten bleibt, die Interessen ihrer Landesangehörigen wahrzunehmen. || g. Wenn mit Ablauf der in Absatz d erwähnten Frist keine Forderung gegen den Nachlass vorliegt, so sollen die Konsularbeamten, nachdem alle dem Nachlasse zur Last fallenden Kosten und Rechnungen nach den im Lande geltenden Tarifen bezahlt und berichtigt sind, endgültig Besitz von dem Nachlasse ergreifen, ihn liquidieren und den gesetzlichen Erben überweisen, ohne dass sie anderweit als ihrer eigenen Regierung Rechnung abzulegen haben. || h. In allen Fragen, welche über die Eröffnung, Verwaltung und Liquidation der Hinterlassenschaft von Angehörigen eines der beiden Länder in dem anderen entstehen, sollen die betreffenden Generalkonsuln, Konsuln, Vizekonsuln und Konsularagenten von Rechtswegen zur Vertretung der Erben befugt sein und sind amtlich als deren Bevollmächtigte anzuerkennen, ohne dass sie verpflichtet wären, ihren Auftrag durch eine besondere Vollmacht nachzuweisen. || Die Konsularbeamten können daher entweder in Person oder durch einen landesgesetzlich dazu befugten Vertreter vor der zuständigen Landesbehörde auftreten und in allen den Nachlass betreffenden Angelegenheiten die Interessen der Erben wahrnehmen, auch sich auf die gegen diese erhobenen Ansprüche einlassen. || Sie sind jedoch verpflichtet, etwa vorhandene Testamentsvollstrecker oder die gegenwärtigen beziehungsweise durch Bevollmächtigte vertretenen Erben von jedem Anspruch in Kenntnis zu setzen, der etwa bei ihnen gegen die Nachlassmasse erhoben wird, damit die Vollstrecker oder Erben ihre Einreden gegen solche Ansprüche geltend machen können. || Es ist indessen selbstverständlich, dass die Generalkonsuln, Konsuln, Vizekonsuln und Konsularagenten, da sie als Bevollmächtigte ihrer Landesangehörigen betrachtet werden, persönlich wegen einer den Nachlass betreffenden Angelegenheit gerichtlich nicht in Anspruch genommen werden können. || i. Das Erbrecht sowie die Teilung des Nachlasses des Verstorbenen richten sich nach den Gesetzen seines Landes. || Alle Ansprüche wegen des Erbrechts und der Nachlassteilung sollen durch die Gerichtshöfe oder zuständigen Behörden dieses Landes und in Gemässheit der Gesetze des letzteren entschieden werden. || k. Wenn ein Deutscher in Japan oder ein Japaner in Deutschland an einem Orte verstirbt, an welchem oder in dessen Nähe kein Konsularbeamter seines Landes vorhanden ist, so haben die zuständigen Lokalbehörden nach Massgabe der Landesgesetze ein Verzeichnis der Hinterlassenschaft des Verstorbenen aufzunehmen und ihre Siegel anzulegen. Beglaubigte Abschriften der betreffenden Urkunden sind nebst der Todesurkunde und allen die Nationalität des Verstorbenen darthuenden Schriftstücken binnen kürzester First dem dem Nachlassorte nächsten Konsularbeamten zu übersenden. || Die

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zuständigen Lokalbehörden sollen hinsichtlich des Nachlasses der Verstorbenen alle durch die Landesgesetze vorgeschriebenen Massnahmen treffen, und der Nachlass soll sobald als thunlich nach Ablauf der in Absatz d bestimmten Frist dem vorgedachten Konsularbeamten oder dessen Bevollmächtigten übermittelt werden. || Es versteht sich von selbst, dass von dem Augenblicke an, wo ein zuständiger Konsularbeamter oder dessen Vertreter an dem Nachlassorte erscheint, die Lokalbehörden, welche etwa inzwischen eingeschritten sind, sich nach den vorstehenden Bestimmungen dieses Artikels zu richten haben. || l. Die Bestimmungen des gegenwärtigen Vertrages sollen in gleicher Weise auf die Hinterlassenschaft von Angehörigen eines der beiden Länder Anwendung finden, die, ausserhalb des Gebiets des anderen Landes verstorben, dort bewegliches oder unbewegliches Eigentum etwa hinterlassen haben. || m. Generalkonsuln, Konsuln, Vizekonsuln und Konsularagenten jedes Landes sind ausschliesslich beauftragt mit der Inventarisierung und den anderen zur Erhaltung und Liquidierung erforderlichen Amtshandlungen bei Nachlässen von Seeleuten, Passagieren und sonstigen Reisenden ihrer Nation, welche in dem anderen Lande, sei es am Lande, sei es an Bord eines Schiffes, gestorben sind.

Artikel XV.

Die Generalkonsuln, Konsuln, Vizekonsuln und Konsularagenten können sich in Person an Bord der zum freien Verkehr zugelassenen Schiffe ihrer Nationalität begeben oder einen Bevollmächtigten an Bord senden, um die Offiziere und Mannschaften zu vernehmen, die Schiffspapiere zu prüfen, die Erklärungen über ihre Reise, ihren Bestimmungsort und die Zwischenfälle während der Reise entgegenzunehmen, Ladungsverzeichnisse (Manifeste) aufzunehmen, den Eingang und die Abfertigung ihrer Schiffe zu fördern, endlich mit den gedachten Offizieren und Mannschaften vor den Gerichts- und Verwaltungsbehörden des Landes zu erscheinen, um ihnen als Dolmetscher oder Agenten zu dienen. || Die öffentlichen Beamten des Landes dürfen in den Häfen, wo ein Generalkonsul, Konsul, Vizekonsul oder Konsularagent eines der beiden vertragschliessenden Teile seinen Amtssitz hat, an Bord von Handelsschiffen Untersuchungshandlungen, Verhaftungen, Beschlagnahmen, Durchsuchungen, Vernehmungen oder Zwangsakte jeder Art, abgesehen von den gewöhnlichen zollamtlichen und gesundheitspolizeilichen Besichtigungen, nicht vornehmen, ohne zuvor dem gedachten Konsularbeamten Nachricht gegeben zu haben, damit derselbe der betreffenden Amtshandlung beiwohnen kann. || Ebenso müssen die Konsularbeamten behufs ihrer Anwesenheit rechtzeitig benachrichtigt werden, wenn die Offiziere oder zur Schiffsmannschaft gehörige Personen vor den Gerichten oder Behörden des Orts Aussagen oder Erklärungen abzugeben haben. Die bezügliche Mitteilung soll die für das Verfahren bestimmte Stunde enthalten. Beim Nichterscheinen der gedachten Beamten oder ihrer Vertreter kann in ihrer Abwesenheit in der Sache vorgegangen werden.

Artikel XVI.

Den Generalkonsuln, Konsuln, Vizekonsuln oder Konsularagenten steht ausschliesslich die Aufrechterhaltung der inneren Ordnung an Bord der Handelsschiffe ihres Landes zu; sie haben daher allein Streitigkeiten zwischen dem Schiffsführer, den Schiffsoffizieren und Matrosen zu schlichten, insbesondere solche, welche sich auf die Heuer und die Erfüllung gegenseitiger Verpflichtungen beziehen. Weder ein Gerichtshof noch eine andere Behörde soll unter irgend einem Vorwande sich in solche Streitigkeiten mischen dürfen, ausser in Fällen, wenn die an Bord vorfallenden Streitigkeiten der Art sind, dass dadurch die Ruhe und öffentliche Ordnung im Hafen oder am Lande gestört wird, oder wenn andere Personen als die Offiziere und Mannschaften des Schiffes an der Unordnung oder Streitigkeit beteiligt sind. || Die Landesbehörden sollen indessen, sofern es sich nicht um Angehörige ihres Landes handelt, verpflichtet sein, den Konsularbeamten wirksame Hilfe zu leisten, wenn diese darum nachsuchen, um eine Person der Schiffsbesatzung ausfindig zu machen, zu verhaften und in Haft zu behalten, deren Festhaltung jene für erforderlich erachten. Solche Personen sollen auf eine schriftliche, an die Landesbehörden gerichtete und von einem beglaubigten Auszuge aus dem Schiffsregister oder der Musterrolle begleitete Aufforderung der Konsularbeamten verhaftet und während des Aufenthalts des Schiffs im Hafen zur Verfügung der Konsularbeamten gehalten werden. Ihre Freilassung soll nur auf Grund eines schriftlichen Ansuchens der gedachten Beamten erfolgen. || Die Kosten der Verhaftung und der Festhaltung dieser Personen sollen von den Konsularbeamten getragen werden.

Artikel XVII.

Die Generalkonsuln, Konsuln, Vizekonsuln oder Konsularagenten können die Offiziere, Matrosen und alle anderen zur Mannschaft der Kriegs- oder Handelsschiffe ihrer Nationalität gehörigen Personen, welche der Desertion von den gedachten Schiffen schuldig oder angeklagt sind, festnehmen lassen, um dieselben an Bord oder in ihre Heimat zu senden. || Zu diesem Zweck sollen die Konsularbeamten sich an eine der zuständigen Behörden des Landes, in dem sie ihren Amtssitz haben, wenden und an dieselbe bezüglich der Deserteure ein Ersuchungsschreiben richten, begleitet von einem amtlichen Auszuge aus dem Schiffsregister und der Musterrolle oder von anderen amtlichen Urkunden, aus denen hervorgeht, dass die Leute, deren Auslieferung sie verlangen, zu der gedachten Schiffsmannschaft gehören. Auf ein dergestalt begründetes Ersuchen, und ohne dass es einer Beeidigung von Seiten der Konsuln bedarf, sollen die Deserteure ausgeliefert werden — vorausgesetzt, dass dieselben weder zur Zeit ihrer Einschiffung, noch zur Zeit ihrer Ankunft im Hafen Angehörige des Landes sind, wo das Auslieferungsverlangen gestellt wird. || Ferner soll jeder Beistand und jede erforderliche Hilfe ihnen bei der Ermittelung und Festhaltung der Deserteure gewährt werden, welche

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in die Gefängnisse des Landes gebracht und dort auf Ersuchen und auf Kosten des Konsularbeamten so lange festgehalten werden sollen, bis dieser eine Gelegenheit zu ihrer Fortsendung gefunden haben wird. || Wenn jedoch eine solche Gelegenheit innerhalb eines Zeitraums von sechs Monaten, vom Tage der Gefangennahme an gerechnet, sich nicht findet, so sind die Deserteure freizulassen und aus dem nämlichen Grunde nicht wieder festzunehmen. || Sollten die Deserteure ein Verbrechen oder Vergehen in dem Lande, in dem sie aufgefunden werden, begangen haben, so sollen sie nicht eher zur Verfügung der Konsularbeamten gestellt werden, bis das für den Fall zuständige Landesgericht die Entscheidung gefällt hat und diese vollstreckt worden ist.

Artikel XVIII.

Falls nicht Verabredungen zwischen Rhedern, Befrachtern und Versicherern entgegenstehen, werden alle während der Fahrt der Schiffe beider Länder erlittenen Havereien, sei es, dass die Schiffe den Hafen freiwillig oder als Nothafen anlaufen, von den Generalkonsuln, Konsuln, Vizekonsuln und Konsularagenten festgesetzt. || Hat indessen der gedachte Konsularbeamte ein Interesse an dem Falle, oder ist er Agent für das Schiff oder die Ladung, ist ein Landesangehöriger oder ein Angehöriger einer dritten Macht bei der Sache beteiligt und es lässt sich eine gütliche Einigung der Parteien nicht erzielen, so sollen die Landesbehörden entscheiden.

Artikel XIX.

Der gegenwärtige Vertrag soll in Kraft treten, sobald der zwischen den vertragschliessenden Teilen vereinbarte Handels- und Schiffahrtsvertrag vom heutigen Tage in allen seinen Teilen Wirksamkeit erlangt. Er soll von seinem Inkrafttreten ab 12 Jahre in Geltung bleiben. || Jeder der vertragschliessenden Teile soll das Recht haben, zu irgend einer Zeit, nachdem 11 Jahre vom Tage des Inkrafttretens des Vertrags verflossen sind, dem anderen seine Absicht, diesen Vertrag aufhören zu lassen, anzukündigen, und mit Ablauf von 12 Monaten nach erfolgter Kündigung soll der Vertrag gänzlich aufhören und endigen.

Artikel XX.

Der gegenwärtige Vertrag soll ratifiziert, und die Ratifikationsurkunden sollen gleichzeitig mit jenen des zwischen den vertragschliessenden Teilen vereinbarten Handels- und Schiffahrtsvertrages vom heutigen Tage in Berlin ausgetauscht werden. || Zu Urkund dessen haben die beiderseitigen Bevollmächtigten diesen Vertrag unterzeichnet und mit ihren Siegeln versehen. || So geschehen in Berlin in doppelter Ausfertigung am 4. April 1896.

(L. S.) Freiherr von Marschall. (L. S.) Vicomte Aoki.

Nr. 11071. **DEUTSCHES REICH und JAPAN.** — Protokoll zu dem Konsularvertrage zwischen dem Deutschen Reiche und Japan.

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Die unterzeichneten Bevollmächtigten haben gleichzeitig mit dem Konsularvertrag vom heutigen Tage noch folgende Bestimmungen vereinbart: || 1. Sollten am Tage des Inkrafttretens des Konsularvertrages vom heutigen Tage in den Gebieten des einen vertragschliessenden Teiles Personen vorhanden sein, welche, ohne im Besitz irgend einer Staatsangehörigkeit sich zu befinden, als Schutzgenossen des anderen vertragschliessenden Teiles anerkannt sind, so sollen die durch den Konsularvertrag den beiderseitigen Konsularbeamten mit Beziehung auf ihre Landesangehörigen eingeräumten Befugnisse sich auf die vorerwähnten Schutzgenossen für die Dauer ihrer Lebenszeit erstrecken. Ein Verzeichnis solcher Bersonen werden sich die beiderseitigen Regierungen mitteilen. || 2. Über die gegenseitige Auslieferung der Verbrecher und Erledigung von Requisitionen in Strafsachen wird zwischen den vertragschliessenden Teilen eine besondere Vereinbarung getroffen werden. Bis zum Inkrafttreten dieser Vereinbarung sollen dem Deutschen Reich in Japan dieselbe Rechte und Begünstigungen, welche seitens Japans einem anderen Lande in diesen Beziehungen eingeräumt sind oder in Zukunft eingeräumt werden, insoweit zustehen, als seitens des Deutschen Reichs bei Stellung des Antrages für gleichartige Fälle die Gegenseitigkeit an Japan zugesichert wird. || Die unterzeichneten Bevollmächtigten sind übereingekommen, dass dieses Protokoll den beiden vertragschliessenden Teilen zugleich mit dem heute unterzeichneten Konsularvertrag vorgelegt werden soll, und dass, wenn der genannte Vertrag ratifiziert wird, die in dem Protokoll enthaltenen Vereinbarungen in gleicher Weise als genehmigt angesehen werden sollen, ohne dass es einer weiteren förmlichen Ratifikation bedarf. || Auch wird vereinbart, dass die Bestimmungen dieses Protokolls zu gleicher Zeit mit dem Aufhören der Wirksamkeit des genannten Vertrages ausser Kraft treten. || Zu Urkund dessen haben die beiderseitigen Bevollmächtigten dasselbe unterzeichnet und ihre Siegel beigedrückt. || So geschehen zu Berlin in doppelter Ausfertigung am 4. April 1896.

(L. S.) Freiherr von Marschall. (L. S.) Vicomte Aoki.

Nr. 11072. **DEUTSCHES REICH.** — Denkschrift, dem Deutschen Reichstage bei Einbringung der vorstehenden Verträge vorgelegt.

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Zwischen Deutschland und Japan besteht zur Zeit der Freundschafts-, Handels- und Schiffahrts-Vertrag vom 20. Februar 1869 (Bundes-Gesetzblatt des Norddeutschen Bundes 1870 S. 1.). Dieser Vertrag, welcher in den Hauptpunkten den von den anderen europäischen und den amerikanischen Staaten mit Japan abgeschlossenen Handelsverträgen entspricht, begründet im

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Wesentlichen für Deutschland einseitige Rechte, für Japan einseitige Pflichten. Er gestattet den Deutschen, in gewissen, dem auswärtigen Handel geöffneten Plätzen Japans zu wohnen und Handel zu treiben, während abgesehen von diesen Plätzen das Land den Ausländern grundsätzlich verschlossen ist. Er gewährleistet Deutschland ferner in Japan die Konsulargerichtsbarkeit über seine Angehörigen, regelt die Zölle für die nach Japan eingeführten und aus Japan ausgeführten Waren in einem Konventionaltarif, dessen Sätze sich im Allgemeinen auf 5 Prozent des Warenwertes stellen, und räumt uns endlich Meistbegünstigung ohne Gegenseitigkeit ein. || Der Vertrag ist ohne zeitliche Begrenzung abgeschlossen; doch ist in ihm beiden Teilen das Recht eingeräumt worden, nach Ablauf gewisser Fristen, die Revision seiner Bestimmungen zu beantragen. || Bald nach Ablauf dieser Fristen wurde von der japanischen Regierung — welche die durch den Vertrag begründete Beschränkung ihrer Rechte und Befugnisse um so drückender empfand, je mehr sie mit den europäischen Institutionen sich vertraut machte und dieselben im eigenen Lande zur Durchführung zu bringen unternahm — ein solches Revisionsverlangen an Deutschland und die übrigen Mächte gerichtet, deren Verträge gleiche Abmachungen enthielten. Die japanische Regierung erstrebte hierbei die Abschaffung der Konsulargerichtsbarkeit, eine Erhöhung des Zolltarifs und, soweit thunlich, die Umgestaltung der Vertragsabmachungen nach dem Prinzip der Gegenseitigkeit, wogegen sie sich bereit erklärte, das ganze Land dem fremden Handel zu öffnen. || Über diese Forderungen Japans wurde lange Jahre in Tokio zwischen den Vertretern der Vertragsmächte und der japanischen Regierung verhandelt.

Im Jahre 1889 entschloss sich Deutschland nach dem Vorgange einiger anderer Staaten, dem Wunsche der japanischen Regierung zu entsprechen und mit ihr einen neuen Handelsvertrag abzuschliessen, der am 11. Juni des genannten Jahres in Berlin unterzeichnet wurde. Da sich jedoch bald darauf in Japan eine heftige Opposition gegen das Werk der Vertragsrevision erhob, zog die japanische Regierung es vor, auf die Ratifizierung dieses Vertrages und der mit dritten Mächten geschlossenen entsprechenden Verträge zu verzichten. Der Vertrag vom 11. Juni 1889 ist deshalb nicht in Kraft getreten, auch dem Bundesrat und dem Reichstag überhaupt nicht vorgelegt worden. || Nachdem die Revisionsfrage mehrere Jahre geruht hatte, gelang es der japanischen Regierung mit Grossbritannien unter dem 16. Juli 1894 einen ihren Wünschen Rechnung tragenden neuen Handelsvertrag abzuschliessen, der inzwischen beiderseits ratifiziert worden ist. Der Vertrag soll indessen erst nach Erfüllung einiger Vorbedingungen und nach Ablauf gewisser Fristen in Kraft treten. Derselbe ist seinerzeit in Übersetzung durch das Deutsche Handelsarchiv, 1894 Teil I Seite 925, veröffentlicht worden. Eine Übersetzung ist auch dieser Denkschrift beigefügt.*) || Alsbald nach der Unterzeichnung

*) Bereits gedruckt „Staats-Archiv“ Nr. 10712. Red.

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des Vertrages mit Grossbritannien äusserte die japanische Regierung das Verlangen, auch mit Deutschland einen gleichen Vertrag zu vereinbaren. Da nach Lage der Verhältnisse dieses Verlangen ohne Schädigung unserer Interessen nicht füglich zurückgewiesen werden konnte, wurden nach Einholung sachverständiger Gutachten aus den Kreisen der Interessenten im Imlande und der deutschen Kaufleute in Japan Verhandlungen eingeleitet. Sie erstreckten sich in der längeren Zeit, die sie in Anspruch nahmen, hauptsächlich darauf, weitergehende Konzessionen, als Grossbritannien, von Japan zu erhalten, gewisse Bestimmungen, in dem neuen japanisch-britischen Vertrage klarzustellen und den Vertrag überhaupt in verschiedenen, für deutsche Interessen wichtigeren Punkten zu ergänzen. || Inzwischen kamen nach dem Vorgange Grossbritanniens unter anderen auch neue Verträge mit den Vereinigten Staaten von Amerika, Italien und Russland zu Stande. Die Verträge mit diesen Ländern sind insofern für Japan noch günstiger, als sie nicht, wie der japanisch-britische Vertrag, einen Teil der japanischen Eingangszölle durch einen Konventionaltarif festlegen, vielmehr Japan, welches zunächst nur die Meistbegünstigung zugesteht, auf tarifarischem Gebiet bis auf Weiteres volle Bewegungsfreiheit gewähren. Mit Frankreich schweben gegenwärtig noch auf der Grundlage des japanisch-britischen Vertrages Verhandlungen.

Da das Ergebnis der deutsch-japanischen Verhandlungen für Deutschland annehmbar erschien, ist unter dem 4. April d. J. in Berlin der jetzt vorliegende Handels- und Schiffahrtsvertag unterzeichnet worden. || Mit dem Zeitpunkte seines vollen Inkrafttretens, welcher frühestens am 17. Juli 1899 eintreten kann, kommt die deutsche Konsulargerichtsbarkeit in Japan in Wegfall. Dagegen wird von diesem Augenblick ab das ganze japanische Reich für die Deutschen und den deutschen Handel geöffnet sein.

Die Bestimmungen des Vertrages über die Verkehrsbeziehungen beider Länder beruhen im Allgemeinen auf dem Prinzip der Gegenseitigkeit. || Eine erwähnenswerte Ausnahme von diesem Prinzip besteht auf dem zolltarifarischen Gebiet. Hier gewährt Japan an Deutschland ausser dem Meistbegünstigungsrecht einen Konventionaltarif, Deutschland dagegen räumt Japan nur die ihm bisher vorenthaltene Meistbegünstigung ein. || Der neue Vertragstarif — der schon sechs Monate nach dem Austausch der Ratifikationen des Vertrages in Kraft gesetzt werden darf, soweit nicht das Meistbegünstigungsrecht entgegensteht — legt die japanischen Einfuhrzölle für den überwiegenden Teil der deutschen Ausfuhr nach Japan fest. Für die nicht gebundenen Artikel bleiben die Einfuhrzölle und ebenso bleiben überhaupt etwaige Ausfuhrzölle der autonomen Regelung Japans überlassen. Die Zollsätze des neuen Vertragstarifs weisen im Vergleich zu den gegenwärtig geltenden Sätzen durchschnittlich eine Erhöhung auf. Sie müssen indess, verglichen mit den Zöllen anderer Länder, als mässige bezeichnet werden. Denn abgesehen von einer einzigen, für unsere Ausfuhr nach Japan wenig bedeutenden Position (Sohlleder, Zollsatz 15 Proz. vom Wert) betragen sie zwischen 5 und 10 Proz. vom Wert. Es lässt sich

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in Übereinstimmung mit den Äusserungen Sachverständiger annehmen, dass unsere Ausfuhr nach Japan in diesen neuen Zollsätzen keine wesentliche Erschwerung finden wird. || Die amtlichen Statistiken des Deutschen Reichs und Japans geben keinen vollständigen Aufschluss über Umfang und Entwickelung des Warenverkehrs zwischen beiden Ländern. Da dieser Verkehr zum Teil seinen Weg über fremde Zwischenplätze (wie z. B. Antwerpen) nimmt, so ist seine genaue statistische Schätzung erschwert. Die Ziffern der deutschen Statistik für die Jahre vor 1889 gewähren zudem wegen des erst im Jahre 1888 erfolgten Zollanschlusses von Hamburg und Bremen kein auch nur einigermassen getreues Bild und können mit den Ziffern der späteren Jahre nicht verglichen werden. Dafür bietet auch die hamburgische und die bremische Statistik keinen ausreichenden Ersatz. || Immerhin lässt sich aus den statistischen Zahlen, welche in der Anlage II zusammengestellt sind, entnehmen, dass sich die deutsche Ausfuhr nach Japan günstig entwickelt hat. Nach der deutschen Statistik belief sie sich 1880 auf 2 785 000 ℳ und stieg mit verschiedenen Schwankungen bis einschliesslich 1888 auf 5 243 000 ℳ. 1889 springt die Ziffer wegen des Zollanschlusses von Hamburg und Bremen plötzlich auf 18 529 000 ℳ, und sie erhält sich bis zum Jahre 1894 ungefähr auf dieser Höhe trotz des allgemeinen Rückgangs der Warenpreise. Für das letztgenannte Jahr weist sie einen Wert von 17 073 000 ℳ auf; nach den Durchschnittspreisen des vorhergegangenen Jahres berechnet, würde sie sich indessen auf 18 033 000 ℳ belaufen. Auch die hamburgische, die bremische und die japanische Statistik bestätigen diese günstige Entwickelung. Im Jahre 1895 hat die deutsche Ausfuhr nach Japan einen sehr beträchtlichen Aufschwung genommen, indem sie nach einer vorläufigen Zusammenstellung auf 26 085 000 ℳ gestiegen ist. Es darf daher gehofft werden, dass sie auch unter der Herrschaft des neuen Vertrages, welcher durch die Eröffnung des Landes zur Anknüpfung zahlreicher neuer Verkehrsbeziehungen mit Japan Anlass geben dürfte, gedeihliche Fortschritte machen und sich an der Versorgung dieses Reichs mit fremden Erzeugnissen einen noch grösseren verhältnismässigen Anteil als bisher (vergl. Anlage III)*) sichern wird. || Über die industrielle Entwickelung Japans giebt Anlage IV**) Aufschluss. Es lässt sich erwarten, dass durch das Aufblühen neuer Industrien und Erwerbszweige in jenem Lande zugleich auch neuer Bedarf an fremden Erzeugnissen entstehen und somit der Import aus dem Auslande in seiner Gesamtheit keine Beeinträchtigung erleiden wird.

Neben unserer Warenausfuhr wird auch unser Schiffsverkehr mit Japan in dem neuen Vertrage eine geeignete Grundlage für seine Entwickelung finden. Die Bedeutung Japans für die deutsche Schiffahrt ergiebt sich aus der Anlage V.*).

Wie bereits erwähnt, gesteht Deutschland auf zolltarifarischem Gebiete

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*) Hier fortgelassen. Red.

**) S. Anlage.

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an Japan die Meistbegünstigung zu. Auf die Einfuhr aus Japan werden demgemäss die von Deutschland an andere Staaten bewilligten Zollermässigungen, von welchen insbesondere diejenigen für Seidenwaren in Betracht kommen dürften, von dem vollen Inkrafttreten des Vertrages ab Anwendung finden. Eine Beeinträchtigung der Interessen der einheimischen Produktion ist hiervon nicht zu besorgen; namentlich erscheint eine Schädigung der deutschen Landwirtschaft schon deshalb ausgeschlossen, weil in denjenigen landwirtschaftlichen Erzeugnissen, für welche Deutschland seine Eingangszölle anderen Staaten gegenüber herabgesetzt hat, Japan nicht exportfähig ist und aller Voraussicht nach in Zukunft auch nicht werden wird (vergl. Anlage VI.*). || Gleichzeitig mit dem Handels- und Schiffartsvertrage und in Ergänzung desselben ist der ebenfalls vorliegende Konsularvertrag zwischen dem Reich und Japan unterzeichnet worden, welcher sich im Allgemeinen an das Vorbild der bestehenden deutschen Konsularverträge mit anderen Staaten anschliesst und über die Zulassung von Konsuln, über die Vorrechte derselben, sowie über deren amtliche Befugnisse, insbesondere auf dem Gebiete der freiwilligen Gerichtsbarkeit, des Civilstandswesens, der Vormundschaft, der Nachlassregulierung und in Schiffahrtssachen, nach dem Prinzip der Gegenseitigkeit Bestimmung trifft. Der Abschluss eines solchen Konsularvertrages erschien mit Rücksicht auf den bevorstehenden Wegfall der deutschen Konsulargerichtsbarkeit in Japan besonders wünschenswert. || Im Einzelnen ist noch folgendes zu bemerken:

I. Handels- und Schiffahrtsvertrag.

Zu Artikel I und III des Vertrages, zu Nummer 1 und 2 des Protokolls, sowie zu Nummer 1 des Notenwechsels: Die Artikel I und III gewähren den Deutschen in Japan und den Japanern in Deutschland insbesondere das Recht des Reisens und der Niederlassung, sowie des Betriebes von Handel, Industrie und Schiffahrt, indem sie ihnen in dieser Hinsicht die Gleichstellung mit den Inländern und den Angehörigen der meistbegünstigten Nation sichern. Hieraus ergiebt sich, dass von dem Inkrafttreten dieser Bestimmungen ab (vergl. Artikel XXI) das ganze japanische Land den deutschen Reichsangehörigen geöffnet sein wird. Für die Zwischenzeit trifft Nummer 1 des Protokolls eine Übergangsbestimmung, indem der zeitweilige Besuch der bisher nicht geöffneten japanischen Landesteile erleichtert wird. || Ausdrücklich ist im Artikel I den Deutschen in Japan, wie den Japanern in Deutschland die Gleichstellung mit den Inländern und den Angehörigen der meistbegünstigten Nation auch hinsichtlich des Besitzes von beweglichen Sachen aller Art zugestanden. Dagegen ist diese Gleichstellung mit den Inländern nicht auch für den Erwerb von Grundeigentum ausgesprochen. Es beruht dies darauf, dass die japanische Gesetzgebung die Ausländer von dem Erwerb des Eigentumsrechts an inländischen Grundstücken ausschliesst. Den sozialen und wirtschaftlichen Gründen, welche die japanische Regierung für diesen Ausschluss geltend macht, ist eine

*) Hier fortgelassen. Red.

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innere Berechtigung nicht wohl abzusprechen, und es erschien daher billig, es der japanischen Regierung zu überlassen, wann sie mit Rücksicht auf die weitere Entwickelung des Landes den Zeitpunkt für gekommen erachtet, die Gesetzgebung in diesem Punkte zu ändern. || Diese Beschränkung wird jedoch der nachteiligen Bedeutung, welche sie für den Geschäftsbetrieb deutscher Reichsangehöriger in Japan haben könnte, dadurch entkleidet, dass in Ergänzung des Artikels I durch die verschiedenen Bestimmungen in Artikel III Absatz 2, in Nummer 2 des Protokolls und in Nummer 1 des Notenwechsels, die Deutschen in Japan auch hinsichtlich des Erwerbes von dinglichen, nicht das volle Eigentum in sich schliessenden Rechten an Grundstücken, namentlich von hypothekarischen, superficiarischen und emphyteutischen Rechten, sowie hinsichtlich der Miets- und Pachtrechte an Immobilien und der Möglichkeit, diesen letzteren den Charakter dinglicher Rechte zu verschaffen, die Gleichbehandlung mit den Inländern zugesichert ist. Das japanische Recht kennt, abgesehen von der Hypothek und von der Miete und Pacht, namentlich die Superficies — welche das Recht gewährt, auf fremdem Grund und Boden Gebäude oder Bäume eigentümlich zu besitzen — sowie emphyteutische Nutzungsrechte an landwirtschaftlichen Grundstücken. Nach dem von dem japanischen Parlament angenommenen Teil des revidierten Entwurfs eines japanischen Bürgerlichen Gesetzbuchs soll es erlaubt sein, eine Emphyteusis auf die Dauer von 20 bis 50 Jahren zu erwerben; die Dauer der Superficies kann durch Abrede der Parteien beliebig festgesetzt werden. Miete und Pacht an Grundstücken können bis auf 20 Jahre unkündbar abgeschlossen werden; sie sind zwar an sich persönliche Rechte, dagegen können sie durch Eintragung in öffentliche Register auch dinglich gemacht werden. Es wird hiernach also den Deutschen in Japan die Möglichkeit gewährt sein, sich die Benutzung von Grundstücken für ihre Geschäftszwecke auf ausreichende Zeit zu sichern. || Im Laufe der dem Vertragsabschlusse vorausgegangenen Verhandlungen hat ferner der japanische Bevollmächtigte auf Grund der ihm von seiner Regierung erteilten Informationen die schriftliche Erklärung abgegeben, dass nach den geltenden japanischen Gesetzen eine nach japanischem Recht gebildete Handelsgesellschaft unter ihrer Firma auch dann Grundstücke in Japan erwerben und besitzen darf, wenn an ihr deutsche Reichsangehörige beteiligt sind. Hieraus ergiebt sich eine weitere sehr wesentliche Milderung des Prinzips, welches die Fremden vom Grunderwerb in Japan ausschliesst.

Aus Artikel I ist noch hervorzuheben, dass jeder vertragschliessende Teil den Angehörigen des anderen Teiles auch Gewissensfreiheit und Freiheit der privaten und öffentlichen Religionsübung gewährleistet. || Artikel II des Vertrages gewährt den Deutschen in Japan und den Japanern in Deutschland die Befreiung vom Militärdienst und von Leistungen zu militärischen Zwecken. Entsprechende Bestimmungen finden sich auch in anderen deutschen Handelsverträgen. || Artikel IV des Vertrages sichert den Angehörigen der vertragschliessenden Teile die Gleichstellung mit den Inländern hinsichtlich der Haus-

suchungen und der Durchsuchung von Papieren. || Zu Artikel V und VI des Vertrages, sowie zu Nummer 3 des Protokolls und dem zugehörigen Tarif: Artikel V Absatz 1 setzt bezüglich der von den Boden- oder Gewerbserzeugnissen des anderen Teiles zu erhebenden Eingangszölle, und Artikel VI bezüglich der Ausgangszölle, welche bei der Ausfuhr von Waren nach dem Gebiete des anderen Teiles erhoben werden, das Meistbegünstigungsrecht fest. || Einfuhr- und Ausfuhrverbote sind für unzulässig erklärt, sofern sie nicht in gleicher Weise auf die anderen Nationen Anwendung finden (Artikel V Absatz 2 und Artikel VI). Eine Ausnahme ist vorgesehen für Einfuhrverbote, welche zum Schutz der öffentlichen Gesundheit, des Viehes oder nützlicher Pflanzen erlassen werden. || Artikel V findet eine Ergänzung in Nummer 3 des Protokolls und dem zugehörigen Vertragstarif, indem dort festgesetzt ist, welche Zölle auf gewisse deutsche Boden- und Gewerbserzeugnisse bei der Einfuhr in Japan — unbeschadet des uns zustehenden Meistbegünstigungsrechtes — zur Anwendung kommen sollen. || Wie sich die Zollsätze des Vertragstarifs zu den Sätzen des neuen japanisch-britischen Vertrages verhalten, und auf wie hoch sich in den einzelnen, in dem Vertragstarif aufgeführten Waren unsere Ausfuhr nach Japan während der letzten Jahre belaufen hat, wird durch die Zusammenstellung der Anlage VII*) veranschaulicht. Es ergiebt sich aus derselben, dass in dem Vertragstarif mit verhältnissmässig wenigen Ausnahmen alle Artikel enthalten sind, welche für unsere Ausfuhr nach Japan eine grössere Bedeutung besitzen. Im Ganzen sind durch den Vertragstarif die japanischen Zölle für Waren gebunden, von welchen wir 1894 für 13 037 664 ℳ und 1895 für 19 996 916 ℳ nach Japan ausgeführt haben. || Unsere gesamte Ausfuhr nach Japan hat 1894 17 073 000 ℳ und 1895 26 085 000 ℳ betragen. Es zeigt sich also, dass nach den Ziffern dieser beiden Jahre rund 76 Prozent unserer Gesamtausfuhr nach Japan durch den Vertragstarif gegen künftige Erhöhungen der japanischen Eingangszölle sichergestellt sind. || Von den für unsere Ausfuhr nach Japan wichtigeren Artikeln haben unter anderen Maschinen und Kriegsmunition keine Aufnahme in den Vertragstarif gefunden. Es ist hierzu jedoch zu bemerken, dass die japanische Regierung eine Festlegung der Zollsätze für diese Waren als unnötig mit der Begründung abgelehnt hat, dass Japan nicht daran denke, für dieselben höhere Zölle einzuführen, da es noch längere Zeit auf den Bezug dieser Gegenstände aus dem Auslande angewiesen sein werde.

Zu dem Vertragstarif ist in Nummer 3 des Protokolls bestimmt, dass die darin vorgesehenen Wertzölle soweit als thunlich durch eine zwischen den beiden Regierungen abzuschliessende Nachtragskonvention — auf Grundlage der in den japanischen Zollübersichten nachgewiesenen Durchschnittspreise der dem Vertragsabschluss vorausgegangenen sechs Kalendermonate — in spezifische Zölle umgewandelt werden sollen. Eine gleiche Bestimmung findet sich

*) Hier fortgelassen. Red.

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auch in dem japanisch-britischen Vertrage vom 16. Juli 1894, und es ist auf Grund derselben zwischen der britischen und der japanischen Regierung ein Tarif mit vorwiegend spezifischen Zöllen durch eine Nachtragskonvention vom 16. Juli 1895 vereinbart worden, welche im Deutschen Handelsarchiv 1896 Teil I Seite 230 (Märzheft) in deutscher Übersetzung abgedruckt worden ist. Es wird beabsichtigt, für die sachgemässe Umrechnung der im Tarif zum vorliegenden Vertrage vorgesehenen Wertzölle den Rat inländischer Sachverständiger und der in Japan ansässigen deutschen Kaufleute in Anspruch zu nehmen. || Für eine Anzahl im Tarif des japanisch-britischen Vertrags vom 16. Juli 1894 aufgeführter Waren, für welche die japanische Statistik nur einen verhältnismässig geringen Import aus Deutschland nachwies, wollte uns die japanische Regierung ursprünglich kein direktes tarifarisches Zugeständnis machen, uns vielmehr die an Grossbritannien gemachten Konzessionen nur auf dem Wege der Meistbegünstigung zu gute kommen lassen. Nachträglich hat die japanische Regierung sich jedoch bereit gefunden, auch diese Waren in unseren Vertragstarif unter der Bedingung einzurücken, dass wir betreffs derselben die zwischen Japan und Grossbritannien vereinbarte Umrechnung der Wertzölle in spezifische Zölle auch unsererseits anerkennen würden. Es erschien unbedenklich hierauf einzugehen und einen hierauf bezüglichen Vorbehalt in das Protokoll aufzunehmen. Es handelt sich hierbei um die im Vertragstarif unter Nummer 2, 11, 18, 19, 20, 21, 24, 30, 31, 34, 35, 38, 39, 40, 41, 44, 47, 48, 56 und 59 genannten Gegenstände. Die für dieselben in der japanisch-britischen Nachtragskonvention normierten Zölle sind aus der Anlage VII zu entnehmen. || Für die im Vertragstarif nicht aufgeführten Gegenstände soll der Generaltarif, welchen die japanische Regierung auszuarbeiten beabsichtigt, in Kraft treten. Die japanische Regierung hat jedoch, wie aus Nummer 3 des Protokolls ersichtlich, die Verpflichtung übernommen, diesen Generaltarif, sowie spätere Abänderungen desselben sechs Monate vor ihrer Anwendung bekannt zu machen, so dass dem deutschen Handel Zeit gegeben ist, sich auf Tarifänderungen rechtzeitig einzurichten. || Wegen des Termins, zu welchem der Vertragstarif, beziehungsweise mit dem ebenerwähnten Vorbehalt der japanische Generaltarif für die deutsche Einfuhr in Geltung treten soll, vergleiche unten bei Artikel XXI des Vertrages.

Zu Artikel VII des Vertrages und Nummer 2 des Notenwechsels: Artikel VII sichert den Deutschen in Japan und den Japanern in Deutschland hinsichtlich der Durchfuhrzölle, des Zolllagerverkehrs, der Ausfuhrvergütungen u. s. w. die Gleichstellung mit den Inländern zu. Nach Nummer 2 des Notenwechsels wird die japanische Regierung darauf Bedacht nehmen, nach Bedarf Warenhäuser und zollfreie Niederlagen in allen für den Handel besonders wichtigen Plätzen ihres Landes, also auch ausserhalb der bisher für den Handel geöffneten Häfen und Städte, zu errichten. || Artikel VIII des Vertrages betrifft die Warenmuster. Absatz 1 bestimmt, dass die von Handlungsreisenden eingebrachten Muster zeitweilig zollfrei zuzulassen sind; die gleiche Vorschrift findet sich in

vielen anderen deutschen Handelsverträgen. Absatz 2 schreibt vor, dass Musterkarten und Muster in Abschnitten oder Proben, sofern sie nur zum Gebrauch als solche geeignet sind, frei von Eingangszoll zu lassen sind, auch wenn sie mit der Post u. s. w. eingehen; die Formulierung schliesst sich an die Bestimmung im § 5 Ziffer 7 des geltenden deutschen Zolltarifgesetzes an. || Nach Artikel IX des Vertrages, welcher gleichfalls mit ähnlichen Bestimmungen anderer deutscher Handelsverträge übereinstimmt, dürfen Waren, die aus dem Gebiete des einen vertragschliessenden Teiles kommen, in dem Gebiete des anderen Teiles nur mit solchen inneren Abgaben belegt werden, die von gleichartigen einheimischen Erzeugnissen zur Hebung gelangen. || Zu Artikel X, XI und XII des Vertrages: Artikel X schliesst in der üblichen Weise die Erhebung differentieller Flaggenzölle, Artikel XI diejenige differentieller Schiffahrts-, Quarantäne- oder ähnlicher Gebühren aus. Artikel XII sichert den Schiffen beider Teile die Gleichstellung mit den nationalen Schiffen hinsichtlich der Bestimmung des Ankerplatzes, sowie in betreff des Ladens und Löschens. || Artikel XIII des Vertrages nimmt die Küstenschiffahrt von den Vertragsbestimmungen aus und sieht in dieser Beziehung nur das Meistbegünstigungsrecht vor. Jedoch wird deutschen Schiffen zwischen den zur Zeit des Vertragsabschlusses geöffneten japanischen Häfen — mit Ausnahme von Osaka, Niigata und Ebisu-minato, welche für die fremde Schiffahrt keine wesentliche Bedeutung besitzen — die Küstenschiffahrt auch künftig gestattet bleiben. || Artikel XIV des Vertrages trifft in der in den Schiffahrtsverträgen üblichen Weise Bestimmung über die Behandlung der in Not geratenen Schiffe und ihrer Ladungen. || Artikel XV — gegenseitige Anerkennung der Nationalität des Schiffes — enthält gleichfalls eine auch in sonstigen Verträgen des Reichs sich findende Bestimmung. || Artikel XVI bringt in Ergänzung der in den vorhergehenden Vertragsbestimmungen enthaltenen bezüglichen Zusicherungen zum Ausdruck, dass die vertragschliessenden Teile sich wechselseitig in allen auf Handel und Schiffahrt bezüglichen Angelegenheiten das unbedingte Meistbegünstigungsrecht einräumen. || Durch Artikel XVII des Vertrages, in Verbindung mit Nummer 4 des Protokolls, gewähren sich die vertragschliessenden Teile für ihre Angehörigen die Zusicherung, dass diese wechselseitig in bezug auf den Patent-, Muster- und Markenschutz zum Genuss der gleichen Rechte, wie die Inländer, zugelassen werden sollen, vorausgesetzt, dass sie die hierfür vom Gesetze vorgesehenen Bedingungen erfüllen. || Wegen des Inkrafttretens der vorstehenden Bestimmungen vergleiche unten bei Artikel XXI des Vertrages.

In Nummer 4 des Protokolls versprechen sich die vertragschliessenden Teile, ferner wegen Abschlusses eines besonderen Vertrages über die gegenseitigen Beziehungen auf dem Gebiete des Patent-, Muster- und Markenschutzes in Unterhandlung zu treten. || Endlich verpflichtet sich die japanische Regierung, vor dem Wegfall unserer Konsulargerichtsbarkeit in Japan der Berner Konvention, betreffend das Urheberrecht, beizutreten. || Zu Artikel XVIII des Vertrages und Nummer 3 des Notenwechsels: Artikel XVIII regelt die

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künftige Stellung der Fremdenniederlassungen in den für den auswärtigen Handel geöffneten japanischen Häfen und Städten, sowie die Rechtsverhältnisse der in diesen Niederlassungen belegenen Grundstücke, welche den Fremden von dem japanischen Staat gegen Entrichtung eines Grundzinses zu freiem Gebrauch und auf unbegrenzte Zeit überlassen sind. ‖ Die Niederlassungen sollen den betreffenden japanischen Gemeinden einverleibt werden und in japanische Verwaltung übergehen; die von dem japanischen Staat in den Ueberlassungsverträgen eingeräumten Besitzrechte an den erwähnten Grundstücken sollen dagegen unverändert erhalten bleiben, mit der Massgabe, dass sie künftig frei und, ohne dass es einer behördlichen Erlaubnis bedürfte, an Inländer oder Ausländer veräussert werden dürfen. Da der japanische Staat Eigentümer der Grundstücke bleibt, nach japanischem Recht aber die auf einem Grundstücke ruhenden staatlichen oder kommunalen Steuern von dem Eigentümer zu entrichten sind, so ergiebt sich, dass die Besitzer der Niederlassungsgrundstücke für dieselben auch nach der Einverleibung der Niederlassungen in die japanischen Gemeinden ausser dem in den Überlassungsverträgen festgesetzten Grundzins keinerlei Abgaben zu entrichten haben werden. Diese Konsequenz ist in Nummer 3 des Notenwechsels ausdrücklich anerkannt und vertragsmässig für die Zukunft festgelegt worden. ‖ In Artikel XIX des Vertrages ist ausgesprochen, dass sich der Geltungsbereich des letzteren auch auf die mit einem der vertragschliessenden Teile gegenwärtig oder künftig zollgeeinten Gebiete erstreckt. ‖ Zu Artikel XX des Vertrages und Nummer 5 des Protokolls: Artikel XX bringt zum Ausdruck, dass mit dem vollen Inkrafttreten des Vertrages der gegenwärtig zwischen Deutschland und Japan bestehende Freundschafts-, Handels- und Schiffahrtsvertrag vom 20. Februar 1869 und die in Ergänzung desselben geschlossenen Übereinkünfte ihre Wirksamkeit verlieren sollen, und dass damit auch die deutsche Konsulargerichtsbarkeit in Japan aufhören wird. ‖ In Modifikation dieses Grundsatzes bestimmt jedoch Nummer 5 des Protokolls, dass die zur Zeit des vollen Inkrafttretens des Vertrages bei den deutschen Konsulargerichtsbehörden bereits rechtshängig gewordenen Angelegenheiten noch von den deutschen Behörden erledigt werden sollen. ‖ Ferner ist im Laufe der dem Vertragsabschluss vorausgegangenen Verhandlungen deutscherseits die Bereitwilligkeit, von dem Inkrafttreten des Vertrages ab auf die Konsulargerichtsbarkeit in Japan zu verzichten, an den ausdrücklichen Vorbehalt geknüpft worden, dass ein solcher Verzicht erst mit dem Wegfall der Konsulargerichtsbarkeit für alle übrigen fremden Mächte Wirksamkeit erlange.

Zu Artikel XXI des Vertrages, sowie zu Nummer 4 und dem folgenden Punkte des Notenwechsels (vergl. auch Nummer 3 des Protokolls): Artikel XXI setzt fest, dass die Bestimmungen des Vertrages im Allgemeinen nicht vor dem 17. Juli 1899 — dem Tage, an welchem auch der japanisch-britische Vertrag frühestens Geltung erlangt — in Kraft treten sollen. Zu diesem oder einem späteren Termine kann der Vertrag durch eine, ein Jahr zuvor abzu-

gebende Erklärung der japanischen Regierung voll in Wirksamkeit gesetzt werden. Durch die so bestimmten Fristen ist eine wünschenswerte Übergangszeit gegeben, in welcher die Deutschen in Japan sich auf die aus dem Vertrage sich ergebende Neuordnung der Verhältnisse, insbesondere auf den Wegfall der Konsulargerichtsbarkeit, werden einrichten können. Es kommt hinzu, dass nach der in der Note des japanischen Gesandten gemachten Zusage die japanische Regierung jene Erklärung erst abgeben wird, wenn auch die zur Zeit noch in Vorbereitung befindlichen Teile der neuen japanischen Gesetzbücher in Kraft gesetzt sein werden. Es werden also die neuen Gesetzbücher, die unter Mitwirkung europäischer Rechtsverständiger nach deutschen und anderen europäischen Vorbildern ausgearbeitet sind, ein ganzes Jahr in Geltung gewesen sein, wenn die deutsche Konsulargerichtsbarkeit wegfällt. Der Übergang in die neuen Verhältnisse wird auch hierdurch wesentlich erleichtert werden. || Von der Regel wegen des Inkrafttretens der Vertragsbestimmungen besteht eine Ausnahme für den Vertragsartikel XVII und die im Protokoll getroffenen tarifarischen Bestimmungen. || Artikel XVII des Vertrages soll, wie im Artikel XXI vorgesehen ist, schon mit der Auswechselung der Ratifikationen Geltung erlangen. Diese Abweichung ist deutscherseits beantragt worden und entspricht den deutschen Interessen. || Was die tarifarischen Bestimmungen anlangt, so schreibt Nummer 3 des Protokolls vor, dass der Vertragstarif schon sechs Monate nach dem Austausch der Ratifikationen in Kraft treten soll, und dass zu der gleichen Zeit auch der neue japanische Generaltarif — vorausgesetzt, dass er sechs Monate zuvor veröffentlicht worden ist — auf die im Vertragstarif nicht vorgesehenen Gegenstände der Einfuhr aus Deutschland zur Anwendung gebracht werden darf. Diese Fristen erschienen ausreichend, um dem deutschen Handel Zeit zu geben, seine Unternehmungen der bevorstehenden Neuordnung des japanischen Zollwesens anzupassen. Grossbritannien hat sich in der fraglichen Hinsicht mit einer einmonatlichen Frist begnügt. || Da Deutschland das Meistbegünstigungsrecht in Japan besitzt, so versteht es sich von selbst, dass die Einfuhr aus Deutschland den höheren Sätzen des neuen Vertragstarifs und beziehungsweise des japanischen Generaltarifs solange nicht unterworfen sein wird, als der zur Zeit geltende, auf den alten Verträgen Japans beruhende japanische Konventionaltarif noch irgend einer anderen Nation gegenüber zur Anwendung kommt. In der Nummer 3 des Protokolls ist ein entsprechender Vorbehalt besonders zum Ausdruck gebracht. || Was die Dauer des Vertrages anlangt, so soll dieser — nach Artikel XXI — von seinem vollen Inkrafttreten ab zwölf Jahre unkündbar in Geltung bleiben. Zum Ablauf des zwölften Jahres oder zu einem späteren Zeitpunkte soll er beiderseits mit einjähriger Frist gekündigt werden können. Diese Regelung entspricht den deutschen Interessen, weil dadurch unserer Ausfuhr nach Japan der Genuss eines mässigen japanischen Einfuhrzolltarifs und der freie Wettbewerb mit dem Export anderer Länder auf eine längere Reihe von Jahren gesichert ist. Dass Japan sich derart für einen grösseren Zeitraum bindet,

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erscheint sogar als eine der hauptsächlichsten Konzessionen, die es uns für unseren Verzicht auf die Rechte aus dem Vertrage von 1869 zu machen bereit ist. Da Deutschland an Japan in der Hauptsache kein anderes Zugeständnis als dasjenige des Meistbegünstigungsrechts gewährt, und da insbesondere durch den Vertrag unser Zolltarif nicht gebunden wird, so braucht von der längeren Dauer des Vertrages keinerlei unliebsame Beschränkung unserer Bewegungsfreiheit befürchtet zu werden. || Für den Fall des Ablaufs des Vertrages ist durch Nummer 4 des Notenwechsels die Bestimmung getroffen, dass die vor oder unter der Herrschaft des Vertrages wohlerworbenen Rechte der Deutschen in Japan und der Japaner in Deutschland unverändert bestehen bleiben sollen. Hierdurch wird insbesondere auch ausser Zweifel gestellt, dass die in den gegenwärtigen Fremdenniederlassungen in Japan erworbenen dauernden Nutzungsrechte an Grundstücken auch nach dem Ausserkrafttreten des Vertrages fortbestehen werden. || Artikel XXII des Vertrages enthält den üblichen Vorbehalt der Ratifikation.

II. Konsularvertrag.

Wie schon oben erwähnt, schliesst sich der Konsularvertrag eng den bestehenden Konsularkonventionen des Reichs an, uud zwar namentlich dem in der Praxis bewährten deutsch-griechischen Vertrage vom 26. November 1881, welcher u. A. bereits der deutsch-serbischen Konsularkonvention vom 6. Jan. 1883 zum Vorbild gedient hat. Einige Bestimmungen über die Mitwirkung der Konsuln in Schiffsangelegenheiten sind der in dem Vertrage des Reichs mit den Vereinigten Staaten von Amerika vom 11. Dezember 1871 gewählten Fassung nachgebildet. || In den Artikeln I bis V werden die persönlichen Rechte der beiderseitigen Konsularbeamten festgesetzt und ihnen hinsichtlich aller Vorrechte und Immunitäten dieselben Begünstigungen zugestanden, die den Beamten des gleichen Ranges der meistbegünstigten Nation bewilligt werden. Die Vorrechte mit Bezug auf Steuern, Einquartierung, Verhaftung und Zeugnispflicht sind des Näheren in Artikel III und IV aufgezählt. || Die Unverletzlichkeit der Konsulatsarchive ist im Artikel VI ausgesprochen. Im Absatz 3 dieses Artikels ist auch nach dem Vorgang der entsprechenden Bestimmung der Konsularkonvention des Reichs mit den Vereinigten Staaten und anderer Verträge die Unverletzlichkeit der Amtsräume und Wohnungen der Berufskonsularbeamten ausbedungen worden. || Die Artikel VII und VIII behandeln die Befugnisse der Vertreter der beiderseitigen Konsuln, Artikel IX das Recht der Konsuln, zum Schutz der bestehenden Verträge und der Interessen ihrer Landsleute die geeigneten Schritte bei den Landesbehörden zu thun. Artikel X räumt ihnen die Befugnis ein, Beglaubigungen und andere notarielle Akte vorzunehmen. || Durch Artikel XI wird dem diplomatischen Vertreter und den Konsuln des Reichs das ihnen schon jetzt zustehende Recht erhalten, bürgerlich gültige Eheschliessungen von Reichsangehörigen nach deutschem Recht vorzunehmen, mit der Einschränkung, dass diese Befugnis

sich nicht mehr auf Eheschliessungen zwischen deutschen und japanischen Angehörigen erstreckt. Analoge Befugnisse stehen dem diplomatischen Vertreter und den Konsuln Japans in Deutschland zu. Desgleichen sollen die beiderseitigen diplomatischen und konsularischen Vertreter nach Artikel XII Geburten und Todesfälle ihrer Landsleute beurkunden dürfen. || Nach Inhalt des Artikels XIII wird ein nicht unwesentlicher Teil der bisher in Japan ausgeübten deutschen Konsulargerichtsbarkeit insofern aufrecht erhalten, als die Konsuln auch fernerhin befugt bleiben sollen, Vormünder und Pfleger für die Reichsangehörigen zu bestellen und nach Massgabe der deutschen Gesetze die Führung der Vormundschaft oder Pflegschaft zu beaufsichtigen. Es war unbedenklich, den japanischen Konsuln in Deutschland in analoger Weise die Fürsorge für ihre minderjährigen oder sonstigen einer Vormundschaft oder Pflegschaft bedürftigen Landesangehörigen zu überlassen. || Die Mitwirkung der Konsuln bei der Behandlung der Nachlässe ihrer verstorbenen Landesangehörigen ist im Artikel XIV im Einzelnen geregelt. || Die Artikel XV bis XVIII behandeln, gleichfalls im Anschluss an die bestehenden Konsularverträge, die Befugnisse der Konsuln mit Bezug auf die Angelegenheiten der Schiffe ihrer Nationalität. Der Absatz 2 des Artikels XV, welcher die Zuziehung der Hafenkonsuln vorschreibt in allen Fällen, wo die öffentlichen Beamten des Landes Untersuchungshandlungen und andere Zwangsakte an Bord von Handelsschiffen vorzunehmen beabsichtigen, hat gegenüber den früheren Konsularverträgen eine genauere Fassung erhalten, welche die in der Praxis hin und wieder zu Tage getretenen Zweifel über die Ausdehnung der Befugnisse der Landesbehörden sowohl, wie der Konsuln zu beseitigen bestimmt ist.

Die Artikel XIX und XX enthalten die gebräuchlichen Bestimmungen über das Inkrafttreten, die Kündigung und die Ratifizierung des Vertrages. Danach soll der Konsularvertrag gleichzeitig mit dem Handels- und Schifffahrtsvertrage von gleichem Tage in Kraft treten und ebenso lange wie dieser in Geltung bleiben, jedoch ist eine selbständige Kündigung des Konsularvertrages vorbehalten worden. || In dem dem Konsularvertrage angefügten Protokoll vom 4. April d. J. sind noch zwei weitere Bestimmungen vereinbart worden. Die eine bezweckt, den in Japan lebenden bisherigen deutschen Schutzgenossen, welche sich im Besitze irgend einer Staatsangehörigkeit nicht befinden, für die Dauer ihrer Lebenszeit die gleiche Behandlung zu wahren, die den Reichsangehörigen vertragsmässig zugesichert ist. Durch die Bestimmung unter 2 hat sich das Reich für Auslieferungen und sonstige Rechtshilfe in Strafsachen die Meistbegünstigung vorbehalten, was nach Aufgeben der Konsulargerichtsbarkeit zweckmässig erschien.

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Anlage.

Überblick über die Industrieen Japans.

Die Industrieen Japans lassen sich einteilen in hergebrachte, d. i. von alters her heimische, und in eingeführte, d. i. solche, die in den letzten Jahrzehnten von Europa oder Amerika herübergebracht worden sind. Auch der Ursprung mancher der alten Industrieen führt auf fremde Länder, namentlich China und Korea, zurück, aber der Lauf der Jahrhunderte hat ihnen ein selbständiges japanisches Gepräge gegeben. In neuerer Zeit haben die Bedürfnisse des Ausfuhrmarktes auch die Erzeugnisse und Herstellungsmethoden dieser alten Industrieen vielfach beeinflusst, so dass sich eine strenge Scheidung nicht mehr durchführen lässt. || Die gegenwärtig für den Handel wichtigsten Industrieen sind folgende:

1. Lackwaren,

namentlich auf der Hauptinsel Hondo angefertigt

Ausfuhr: 1891 .... 577 371 Yen
1892 .... 528 075 „
1893 .... 708 992 „
1894 .... 797 539 „

Hauptausfuhrländer: Grossbritannien, Deutschland, Hongkong, Britisch-Ostindien, Frankreich und die Vereinigten Staaten.

2. Porzellan und Thonwaren,

mehr oder weniger im ganzen Lande fabriziert, vorzüglich auf Hondo und Kiushiu.

Ausfuhr: 1891 ...... 1 287 026 Yen
1892 ...... 1 480 411 „
1893 ...... 1 577 190 „
1894 ...... 1 484 853 „

3. Kurzwaren

(Horn, Schildpatt, Elfenbein, Perlmutter; Metallware aus Bronze, Kupfer, Antimon etc.; Stand-, Wand- und Taschenuhren u. s. w.)

4. Holzwaren aller Art.

Ausfuhr: 1891 .... 188 885 Yen
1892 .... 230 824 „
1893 .... 263 622 „
1894 .... 280 753 „

5. Matten

für den Export, in neuerer Zeit in den Mustern vervollkommnet.

Ausfuhr: 1891 ...... 656 128 Yen
1892 ...... 1 176 679 „
1893 ...... 1 723 382 „
1894 ...... 1 965 493 „

Strohgeflechte:

Ausfuhr:	1891	193 776	Yen
	1892	155 162	„
	1893	378 349	„
	1894	743 399	„

6. Seide.

Produktion und Ausfuhr von Rohseide nach offiziellen Angaben:

	Produktion	Ausfuhr:	
		Quantität	Wert
	Cätti.	Cätti.	Yen.
1883	2 852 806	3 121 975	16 183 549
1884	3 562 625	2 098 398	11 007 172
1885	3 174 931	2 457 203	13 033 871
1886	4 493 131	2 635 294	17 321 361
1887	5 032 381	3 103 584	19 280 002
1888	4 655 944	4 677 708	25 916 860
1889	5 510 412	4 126 741	26 616 541
1890	5 416 700	2 110 315	13 859 338
1891	6 968 600	5 325 148	29 356 338
1892	7 004 606	5 406 856	36 299 743
1893		3 712 213	28 167 411
1894		5 484 059	39 353 155

Hauptkonsumtionsländer: Vereinigte Staaten, Frankreich, Italien, Schweiz und Grossbritannien. Selbständige Entwickelung des Rohseidenhandels mit Deutschland nicht ausgeschlossen. Die Ausfuhr erfolgt überwiegend von Yokohama. || Der Export von Seidenstoffen (Habutai, Crêpes, Damast u. a.), welcher vor 8 bis 9 Jahren nur 130 000 Yen betrug, hat folgende Ziffern erreicht:

1891	1 763 715	Yen
1892	4 404 178	„
1893	4 074 992	„
1894	8 429 999	„

Seidene Taschentücher insbesondere wurden ausgeführt:

1891	2 811 820	Yen
1892	3 494 416	„
1893	3 899 646	„
1894	3 628 128	„

Andere Seidenwaren für den fremden Markt sind Gardinen, Tischdecken, Möbelbezüge und dergleichen, die in Tokio, Osaka, Yokohama, Kioto und Kobe hergestellt werden.

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7. Papier.

Die Produktion betrug nach den veröffentlichten Zahlen:

japanisches Papier	1892	4 911 847 Yen
europäisches „	1890	403 410 „
	1891	850 791 „
	1892	969 549 „

Papiermühlen zur Herstellung europäischen Papiers befinden sich in Tokio, Suzukawa, Yokkaichi, Shidzuoka, Osaka, Kobe, Kioto und Kokura auf Kiushiu. Ausserdem besitzt die Regierung eine grosse Papierfabrik in Oji bei Tokio. Trotzdem hat die Einfuhr ausländischen Papiers zugenommen.

Japanische Tapeten wurden ausgeführt:

1891	74 927 Yen
1892	88 993 „
1893	83 379 „
1894	74 769 „

Speziellen Ruf geniessen die sogenannten Ledertapeten. Die Ausfuhr von Papierwaren betrug:

1891	161 989 Yen
1892	193 746 „
1893	201 369 „
1894	303 795 „

8. Lederindustrie.

Import des Rohmaterials, namentlich aus Britisch-Indien, den Vereinigten Staaten, Grossbritannien, China und Deutschland. Die Fabrikation von Sattlerarbeiten aller Art, namentlich von Reiseartikeln, hat bedeutenden Aufschwung genommen. Die Einfuhr fertiger Ware ist auf wenige Luxusartikel beschränkt. Gerbereien bestanden 1892 in Osaka, Hiogo und Nagasaki.

9. Chemische Industrieen.

Drogen, Farben und Medikamente. Schwefelsäurefabriken, Ausfuhr 1893: 64 941 Yen, 1894: 34 480 Yen, namentlich nach China. Düngerpräparate. Seifen und Parfümerien. Die Seifenerzeugung ist im Zunehmen begriffen, so dass der heimische Bedarf fast vollständig dadurch gedeckt wird. Die Einfuhr ausländischer Seifen hat infolge dessen fast ganz aufgehört. Die zur Fabrikation verwendete kaustische Soda kommt zum grössten Teil aus England.

Streichhölzer wurden

	produziert		ausgeführt	
	Gross:	Wert:	Gross:	Wert:
1890 . . .	12 524 870	2 584 165 Yen	6 724 585	1 489 029 Yen
1891 . . .	12 841 023	2 573 007 „	8 029 932	1 843 636 „
1892 . . .	26 106 305	4 956 196 „	9 242 035	2 202 041 „
1893 . . .	—	—	13 541 287	3 537 974 „
1894 . . .	—	—	13 843 022	3 795 634 „

Eisfabriken bestehen vereinzelt.

10. Bergbau.

Kohlen.	Produktion:		Jährliche Zunahme:	
1888	2 022 968	Tonnen	275 672	Tonnen
1889	2 388 614	„	365 646	„
1890	2 608 284	„	219 670	„
1891	3 037 288	„	429 000	„
1892	3 175 670	„	138 382	„
	durchschnittlich		285 675	Tonnen.

Hauptkohlenfelder auf Kiushiu (Miiku, Takashima, Hizen, Amakusa, Chikuho) und im Hokkaido. Nachfrage nach japanischen Kohlen im Steigen. Die jährliche Produktion für die nächsten 10 Jahre wird geschätzt auf 3 Millionen, bei Eröffnung einiger neuer Bergwerke höchstens 4 Millionen Tonnen. Einige der bestehenden Bergwerke, darunter die in Takashima, gehen ihrer Erschöpfung entgegen. Dagegen sind auf Kiushiu gute und vielversprechende Kohlenfelder noch unbearbeitet. Systematischer Betrieb wird als notwendig empfohlen, um der vorzeitigen Erschöpfung der Vorräte vorzubeugen. || Die Ausfuhr von Kohlen und Kohlenstaub (mit Ausnahme derjenigen für den Schiffsverbrauch) betrug:

	Tonnen.	Wert.	
1891	895 320	3 179 202	Yen
1892	900 398	2 854 299	„
1893	1 094 754	3 288 842	„
1894	1 265 504	4 674 304	„

Der grösste Teil geht nach Hongkong, China und Britisch-Indien. || Kupfer wird gewonnen in den Provinzen Shimotsuke, Ugo, Bizen, Bitchin, Kaga, Echigo, Iwami (auf Hondo), Iyo (auf Shikoku) und Hiuga (auf Kiushiu). Es wird ausgeführt sowohl im ursprünglichen Zustande (ingot copper), wie in Stangen, Tafeln und Blechen (bar, slab und sheet copper). Die Hauptausfuhr geht nach Hongkong.

Produktion:	1891	5 064 634	Kwan*)
	1892	5 536 061	„
Ausfuhrwert:	1891	4 877 089	Yen
	1892	4 863 921	„
	1893	4 569 229	„
	1894	4 900 753	„

Antimon wird in bester Qualität auf Shikoku, aber auch auf Hondo und Kiushiu gewonnen. Die Hauptausfuhr geht über Hongkong nach Indien und England. Das Metall findet vielfach Verwendung bei den einheimischen Kunstarbeiten.

Produktion:	1891	603 634	Kwan
	1892	368 869	„

*) 1 Kwan = 3,7565 Kilogramm.

Nr. 11072. Deutsches Reich. 4. April 1896.

Ausfuhrwert:	1891	232 499 Yen
	1892	163 308 „
	1893	183 853 „
	1894	254 261 „

Silber wurde gewonnen:

1886 ...	1 084 852 Unzen	1890 ...	1 703 878 Unzen
1887 ...	1 147 113 „	1891 ...	1 890 010 „
1888 ...	1 376 436 „	1892 ...	1 916 549 „
1889 ...	1 382 611 „		

Ausfuhr in rohem Zustande findet nicht statt.

Schwefel, namentlich im Hokkaido.

Produktion:	1886	1 719 296 Kwan
	1887	2 874 954 „
	1888	5 057 564 „
	1889	4 537 799 „
	1890	5 519 924 „
	1891	5 847 746 „
	1892	5 462 818 „
Ausfuhrwert:	1891	284 831 Yen
	1892	280 963 „
	1893	238 831 „
	1894	244 542 „

Sonstige Bergwerkserzeugnisse:

Gold	(21 540 Unzen)
Eisen	(5 268 417 Kwan)
Blei	(236 859 „)
Zinn	(11 011 „)
Quecksilber	(3 955 „)
Petroleum	(537 240 „)
Braunstein	(1 338 200 „)
Kupfersulfat	(16 905 „)
Graphit	(160 074 „) u. s. w.

Die eingeklammerten Zahlen bedeuten die Produktion im Jahre 1892. || Alle letzt aufgeführten Produkte kommen, mit Ausnahme von Braunstein, der nach Europa und den Vereinigten Staaten von Nordamerika geht, für die Ausfuhr nicht in Betracht. || Für den Bezug von Eisen und Stahl ist Japan noch auf das Ausland angewiesen. Es muss jedoch bemerkt werden, dass neuerdings die Errichtung eines staatlichen Stahlwerkes projektiert worden ist, welches Stahl aus inländischen Erzen herstellen und auf die Produktion von ungefähr 60 000 Tonnen fertiges Erzeugnis eingerichtet werden soll.

11. Baumwollspinnerei.

An Rohstoff für diese Industrie wurde vorwiegend aus China und Britisch-Indien eingeführt:

1891 . . . . . 8 199 251 Yen
1892 . . . . . 13 324 654 „
1893 . . . . . 16 151 570 „
1894 . . . . . 19 610 759 „

Keine andere Industrie zeigt eine gleich rasche Entwickelung. Für die Jahre 1887 bis 1893 liegen folgende Zahlen vor:

	Zahl der Spinnereien.	Zahl der Spindeln.	Verfertigtes Garn. Kwan.	Verbrauchtes Rohmaterial. Kwan.
1887	19	70 220	1 165 073	1 333 695
1888	24	113 856	1 593 103	1 807 076
1889	28	215 190	3 358 042	3 859 464
1890	30	277 895	5 132 588	5 962 484
1891	36	353 980	7 689 938	8 995 293
1892	39	385 314	9 997 208	12 240 788
1893	40	381 781	10 666 744	11 531 307(?)

Es wird angenommen, dass sich im Sommer des Jahres 1894 etwa 46 Spinnereien mit rund 600 000 Spindeln in Betrieb befanden. Für den Anfang des Jahres 1896 ist die Zahl der Spindeln auf etwa 800 000 geschätzt worden. Das Bestreben geht dahin, auch die Garne feinerer Qualität in Japan herzustellen. || Das Produkt der Spinnereien dient hauptsächlich dem einheimischen Bedarf. Neuerdings ist indessen mit Erfolg der Export von baumwollenen Unterkleidern, Flanellen und sonstigen Stückgütern, namentlich nach China, aufgenommen worden. Die Ziffern hierfür betragen:

1892 . . . . . . 598 029 Yen
1893 . . . . . . 1 241 811 „
1894 . . . . . . 1 994 748 „

Die Ausfuhr von Garn ist von etwa 8 000 Yen in den Jahren 1891 und 1892 im Jahre 1893 auf 59 175 Yen und im Jahre 1894 auf 955 529 Yen gestiegen. || Im Jahre 1894 ist der Bau einer Kammgarnspinnerei in der Nähe von Schinagawa bei Tokio in Angriff genommen worden.

12. Weberei.

Der Wert sämtlicher nachgewiesenen Gewebe betrug nach den von der Regierung veröffentlichten Zahlen:

1888 . . . . . 30 475 213 Yen
1889 . . . . . 39 173 496 „
1890 . . . . . 32 673 889 „
1891 . . . . . 45 193 814 „
1892 . . . . . 47 989 776 „

Nr. 11072. Deutsches Reich. 4. April 1896.

Für 1895 wird der Wert der erzeugten Gewebe auf etwa 65 Millionen Yen geschätzt. || Die fabrizierten Gewebe sind seidene, baumwollene, hanfene, gemischte aus Seide und Baumwolle oder aus Seide oder Baumwolle und Hanf u. s. w. Der Zahl nach überragten 1892 die baumwollenen Gewebe (41 745 226 Stück im Werte von 19 113 322 Yen), dagegen dem Werte nach die seidenen Gewebe (6 179 169 Stück im Werte von 19 347 785 Yen). || Für die Herstellung von Militärtuchen bestehen Fabriken in Oji und Senji. Ebenso werden Decken für den Armeebedarf fabriziert. || Eine erhebliche Bedeutung, insbesondere auch für die Ausfuhr, besitzt die Fabrikation von Teppichen aus Baumwolle und Hanf, die als sogenannte Osakateppiche im Handel bekannt sind. Die Ausfuhr betrug 1893: 203 050 Stück im Werte von 391 989 Yen und 1894: 546 091 Stück im Werte von 1 134 072 Yen. || Auch die Weberei von Wollemusselin ist, wenn auch vorläufig mit primitiven Stühlen, in Angriff genommen worden. Die billigen Arbeitskräfte lassen indessen weitere Entwickelung erwarten. Erwähnung verdient in diesem Zusammenhang die Musselinfärberei in Osaka. Im Abpassen der Farben wird von den Japanern grosse Geschicklichkeit bewiesen, so dass Musseline neuerdings vielfach in ungefärbtem Zustande eingeführt werden. Ferner sind in neuerer Zeit auch drei Fabriken für wollene Flanelle errichtet worden.

13. Europäische Bekleidungsgegenstände.

Hüte	Ausfuhr	1894	49 818 Yen
Socken . . .	„	„	45 254 „
Handschuhe	„	„	9 414 „

Ausfuhr fertiger Hemden von Yokohama nach Auskunft der Zollbehörde im Monat etwa 800 Yen. Hierher gehören auch Schirme europäischer Konstruktion mit zunehmender Ausfuhrziffer:

1891	161 504 Yen
1892	364 308 „
1893	589 272 „
1894	746 067 „

14. Cement.

Mehrere bedeutende Fabriken in Tokio, Nagoya, Osaka, Yamoguchi und an der Hiogoküste.

15. Nahrungs- und Genussmittel.

Mineralwasser (Hirano bei Osaka). || Bier. Grössere Brauereien nach deutschem Muster bestehen: in Yokohama (Kivin-Bier), in Tokio (Ebisu-Bier), in Osaka (Asahi-Bier), sowie in Sapporo auf Yeso. Der Biergenuss hat sich unter der besser situierten Bevölkerung Japans sehr verbreitet, auch mit der Ausfuhr sind Versuche gemacht worden. || Genuss und Fabrikation von Cigaretten ist im Zunehmen.

Ausfuhr:		
1891	11 228	Yen
1892	17 249	„
1893	29 843	„
1894	56 876	„

namentlich nach Korea und China. || Konserven werden für den heimischen Markt hergestellt.

Sake (Reisbranntwein)

	Zahl der Brauereien:	Produktion in Koku*):
1889/90	15 192	3 817 126
1890/91	14 752	3 172 825
1891/92	14 703	3 407 986
1892/93	14 720	3 609 132

Ausfuhr 1894 .... 186 101 Yen, namentlich nach Korea.

Shoyu (Soja, Bohnensauce) Produktion:

	Zahl der Betriebe:	Produktion in Koku:
1889/90	10 668	1 233 594
1890/91	10 310	1 158 002
1891/92	10 170	1 213 159
1892/93	10 241	1 214 746

Ausfuhr 1894 .... 67 670 Yen, namentlich nach Hawaii und Korea.

16. Glashütten

sind in Tokio, in Osaka und in Nagasaki. Bis jetzt ist nur gewöhnliche Ware hergestellt worden; für feinere Ware fehlt den Arbeitern die Geschicklichkeit. Fensterglas insbesondere wird bis jetzt besser und billiger vom Auslande geliefert und bildet einen der Haupt-Importartikel Belgiens.

17. Ziegel

werden in ausgedehntem Masse in Japan für den Bedarf im Lande hergestellt. Vor einigen Jahren ist ein Versuch mit der Ausfuhr von Ziegeln in Ballast nach Vancouver gemacht worden, der indess nicht wiederholt worden zu sein scheint. Dagegen finden japanische Ziegel ihren Weg nach Sibirien und Manila.

18. Eine Taufabrik

wurde 1886 in Tokio gegründet und liefert Taue für die japanische Marine und fremde Schiffe. Die Preise sollen indessen zu hoch sein, um gegen Hongkong und Manila konkurrieren zu können.

19. Schiffswerften

bestehen, ausser den für den ausschliesslichen Gebrauch der Marine bestimmten, in Nagasaki, Tokio, Hiogo und Osaka. || Das Tokio-Etablissement enthält ausgedehnte Eisenwerke, wo Maschinen aller Art hergestellt werden und ein

*) 1 Koku = 180,3907 Liter.

Nr. 11072. Deutsches Reich. 4. April 1896.

Dock von 210 Fuss Länge und 42 Fuss Breite. Eine Reihe von kleineren Fahrzeugen der japanischen Marine sind dort gebaut worden. ‖ Die bedeutendste dieser Werften ist aber diejenige in Nagasaki, wo Schiffe von bedeutender Grösse gebaut und vollständig ausgerüstet wurden. Für dieselbe ist nach dem Abschluss des Friedens mit China eine derartige Erweiterung in Aussicht genommen worden, dass künftig der Bau von fünf Schiffen mittlerer Grösse zu gleicher Zeit ausgeführt werden kann.

20. Fischöl.

Ausfuhr: 1891 .... 175 802 Yen
1892 .... 248 621 „
1893 .... 530 304 „
1894 .... 665 807 „

in Hokkaido gewonnen und meistens über Yokohama nach Hamburg, London und Havre ausgeführt.

21. Kampher.

Zwei Raffinerien in Kobe.

Ausfuhr: 1891 ...... 1 629 104 Yen
1892 ...... 1 274 752 „
1893 ...... 1 308 610 „
1894 ...... 1 023 956 „

Nach der inzwischen erfolgten Einverleibung Formosas wird die Kampherindustrie für das japanische Reich wesentlich an Bedeutung gewinnen.

22. Zucker

wird in den südlichen Teilen Japans und auf den Liu-Kiu-Inseln aus Rohr gewonnen. Das Verhältniss von Produktion und Einfuhr stellt sich wie folgt:

	In Japan erzeugter Zucker Kilogramm.	Eingeführter Zucker (brauner und weisser).	
		Menge Kilogramm.	Wert Yen.
1888	4 097 533	87 406 599	6 853 384
1889	4 968 854	72 558 854	6 205 217
1890	7 078 662	99 745 962	8 384 858
1891	5 829 874	68 638 218	7 735 742
1892	4 873 544	114 192 479	9 519 614
1893		123 301 200	11 452 025
1894		133 512 262	13 241 596

Ein Anfang ist im Hokkaido mit der Rübenzuckerproduktion gemacht worden, doch haben sowohl das Klima als technische und wirtschaftliche Schwierigkeiten sich einem Erfolge bis jetzt entgegenstellt. ‖ Durch den Erwerb von Formosa hat sich für Japan ein weiteres Zuckerproduktions-Gebiet

erschlossen, durch das es in nicht zu langer Zeit in den Stand gesetzt sein wird, sich von der Zuckereinfuhr aus dem Auslande zu emanzipieren. Die Errichtung japanischer Zuckerraffinerien auf jener Insel soll bereits in die Wege geleitet sein.

Nr. 11072. Deutsches Reich. 4. April 1896.

23. Reisschälmühlen

befinden sich namentlich in Hiogo und Okayama und machen seit 6 bis 7 Jahren ein bedeutendes Geschäft. Die Ausfuhr des Produktes geht nach Europa, den Vereinigten Staaten, Kanada und Australien und betrug

Saison 1891/92 . . . . 61 885 Tonnen,
„ 1892/93 . . . . 93 064 „

Nr. 11073. GROSSBRITANNIEN. — Bedingungen über die Ertheilung der Charter an die Britische Südafrikanische Gesellschaft für das Gebiet nördlich vom Zambesi.*)

Foreign Office, Febr 1891.

Nr. 11073. Grossbritannien. Febr. 1891.

The Charter of the British South Africa Company shall extend over the territory under British influence north of the Zambezi and south of the territories of the Congo Free State and the German sphere, and accordingly the Company is hereby granted powers necessary for the purposes of good government and the preservation of public order in and for the protection of the said territory under British influence, but subject to the following conditions: —

1. The said field of operations shall not include Nyasaland. || The territory defined by that name will be bounded, where it adjoins the Chartered territory, by a frontier which, starting on the south from a point where the boundary between the British and Portuguese spheres is intersected by the boundary of the Conventional line of the Berlin Act, will follow that line to the point where it meets the geographical line of the Congo Basin, and will thence follow the latter line to the point where it reaches the boundary between the British and German spheres.

2. As regards the powers of government and administration by the Company the Secretary of State shall, pursuant to the power reserved to him by the 4th Article of the Charter, subject them to the condition that, until the Ist January, 1894, or until such earlier date as he shall direct, they shall be exercised for the Company by Her Majesty's Commissioner for Nyasaland in consultation with the Company, and accordingly, in this respect, the Company's officers shall be subordinate to the Commissioner. || After the 1st January, 1894, the arrangement shall be renewable, at the discretion of Her Majesty's Government, for a further period not exceeding two years.

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*) Engl. Blaubuch Africa Nr. 2. 1895. 7637.

Nr. 11073. Grossbritannien. Febr. 1891.

3. The duty of preserving peace and order incumbent on the Company under Article 10 of the Charter shall devolve on the said Commissioner so long as Article 2 hereof is in force. The Commissioner shall have the control of the police force, the establishment of which is authorized by Article 10 of the Charter, with power to employ it at his discretion in any part of the Company's field of operations north of the Zambezi and in Nyasaland. || The Company shall raise, equip, and maintain (providing the necessary barrack accommodation) the police force (under which head armed boats shall be comprised), and defray all expenses connected with its employment, expending for these purposes through the said Commissioner not less than 10000 l. a-year. || The said Commissioner shall be consulted as to the organization of the police, and especially as to the appointment by the Company of its officers.

4. Justice to the peoples and inhabitants within the Company's field of operations north of the Zambezi, under the 14th Article of the Charter, shall be administered by the said Commissioner so long as Article 2 hereof is in force.

5. The administration of justice shall be in conformity with the Africa Order in Council of the 15th October, 1889, under which judicial powers will be conferred on the said Commissioner (so long as Article 2 hereof is in force), and on such other officers who may be employés of the Company as the Secretary of State shall, at the request of the Company, nominate.

6. Goods passing through Nyasaland to or from the Chartered territory shall be treated as goods in transit, and shall be free from duty. || If, for the sake of convenience, duties are levied on them on the Nyasaland frontiers, they shall be accounted for to the Company.

7. All expenses connected with the administration in the Chartered territory shall be borne by the Company either by a fixed payment, or by liquidation of accounts rendered by the Commissioner, but no expense beyond the before-mentioned 10000 l., except for travelling expenses of the Commissioner and his agents, shall be incurred without the previous sanction of the Company.

8. The Company shall make arrangements under which the said Commissioner shall, in Nyasaland, be authorized to make use of material of war belonging to the African Lakes Company in case of necessity, and under which he shall be empowered to use, free of charge, for administrative purposes, the steamers belonging to that Company on Lake Nyasa, with due precautions against unreasonable interference with their employment for the Company's trade.*)

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*) Am 18. Dez. 1893 wurde die Charter bis zum 31. Dez. verlängert. Red.

Nr. 11074. GROSSBRITANNIEN. — Ergänzung zu dem vorigen.
24. November 1894.

Nr. 11074. Grossbritannien. 24. Nov. 1894.

The South Africa Company having intimated that it is prepared to undertake the direct administration of the portion of the British sphere north of the Zambezi over which its Charter was extended in 1891, the arrangement under which the administration was confided to Her Majesty's Commissioner and Consul-General, in consultation with the Company, till the 1st January, 1896, or such earlier date as the Secretary of State might direct, will terminate from the date of the assumption by the Company of direct administration, which shall not be later than the 30th June, 1895. || Administrative posts which have been placed by the Commissioner in the Chartered territory will be transferred, and will thenceforth be under the direct control of the Company. The expenditure of the Commissioner on their account will cease from the date of transfer.

2. The Company will, in accordance with the existing arrangement, pay into the hands of the Commissioner the annual contribution to the expense of police of 10 000 l. up to the 1st January, 1896. || It will during the year 1895 pay 1000 l. in liquidation of the obligation, which it undertook in 1891, to afford to the Commissioner the use, free of charge, for administrative purposes, of the steamers on the lake belonging to the African Lakes Company.

3. The outstanding accounts between the Company and the Protectorate will be regulated by the accountants of the Foreign Office with those of the Company, on the basis that the Company is liable only for the annual police contribution of 10 000 l., for 5000 l. given in 1891 for expenses connected with raising and organizing the police force, for expenditure in connection with steam transport on the lake for administrative purposes, and for amounts which can be shown to have been expended for the benefit of, or on account of, the Chartered territory as distinct from the Protectorate.

4. It having been explained that Mr. Rhodes voluntarily authorized Her Majesty's Commissioner to spend on his behalf a maximum sum of 10 000 l., for the operations against Makanjira, it is agreed that the sum actually expended on that account shall be ascertained by the above-mentioned accountants, and that the balance, if any, of the total amount of 10 000 l., if the whole amount shall be shown to have been drawn by the Commissioner, shall be repaid to M. Rhodes.

5. The Treaties made on behalf of the Company in the Chartered territory will be sanctioned, on the condition that no provisions in them will be confirmed which may conflict with the prohibition against monopolies contained in the Charter, and whith the stipulations of the Act of Berlin in so far as they are applicable to the Chartered territory. || It is understood that this sanction is without prejudice to certain claims based on Concessions said to have been obtained by M. Wiese, should the validity of such Concessions be hereafter established.

Nr. 11074. Grossbritannien. 24. Nov. 1894.

6. The mining rights in the territory described as Marimba in the Commissioner's published map, purchased by the Company from the African Lakes Company, will be confirmed, subject to the terms accepted by the agent of the latter Company. || In the territory described in the above-mentioned map as Central Angoniland, the mining rights claimed by the Company will be confirmed subject to the terms accepted by the agent of the African Lakes Company. || These confirmations will not include sanction of administrative powers, monopolies, nor the right to prevent the acquirement of land by settlers.

7. The claim of the Company to land and minerals acquired from the African Lakes Company by purchase in the territory described in the Commissioner's map as North Nyasa, will be examined when the titles obtained by the latter Company from the native Chiefs are produced for investigation.

8. It being necessary that the frontier between Lakes Nyasa and Tanganyika should be watched in order to prevent aggression by the natives on German territory, and the introduction of arms and ammunition in contravention of the prohibition which has been imposed, the Company agrees to take the requisite steps for guarding that frontier.

9. Customs arrangements between the Protectorate and the Chartered territory which experience may make it desirable to adopt for the purposes of the execution of the Berlin and Brussels Acts, or for fiscal reasons, will be subject to the approval of the Secretary of State. || The Company undertakes to provide Customs posts, and to make suitable arrangements for insuring the proper observance, and preventing abuse, of the stipulations as to free transit in favour of countries adopting the Free Zone system of the Act of Berlin.

(Signed) H. Percy Anderson.

(For the British South Africa Company.)

November, 24, 1894. C. J. Rhodes.

Nr. 11075. VERTRAGSSTAATEN. — Konvention betreffend den internationalen Austausch von offiziellen Dokumenten und wissenschaftlichen und litterarischen Publikationen.

Brüssel, 15. März 1886.

Nr. 11075. Vertragsstaaten. 15. März 1885.

Sa Majesté le Roi des Belges, Sa Majesté l'Empereur du Brésil, Sa Majesté la Reine Régente d'Espagne, le Président des Etats-Unis d'Amérique, Sa Majesté le Roi d'Italie, Sa Majesté le Roi de Portugal et des Algarves, Sa Majesté le Roi de Serbie, le Conseil Fédéral de la Confédération Suisse, désirant établir sur les bases adoptées par la Conférence réunie à Bruxelles, du 10 au 14 avril 1883, un système d'échanges internationaux pour les do-

cuments officiels et pour les publications scientifiques et littéraires de leurs Etats respectifs, ont nommé pour leurs plénipotentiaires, savoir: || Sa Majesté le Roi des Belges, M. le Prince de Caraman, Son Ministre des Affaires Etrangères, et M. le Chevalier de Moreau, Son Ministre de l'Agriculture, de l'Industrie et des Travaux Publics; || Sa Majesté l'Empereur du Brésil, M. le Comte de Villeneuve, Son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté le Roi des Belges; || Sa Majesté la Reine Régente d'Espagne, M. de Tavira, Chargé d'Affaires *ad intérim* d'Espagne à Bruxelles; || Le Président des Etats-Unis d'Amérique, M. Lambert Tree, Ministre Résident des Etats-Unis d'Amérique à Bruxelles; || Sa Majesté le Roi d'Italie, M. le Marquis Maffei, Son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté le Roi des Belges; || Sa Majesté le Roi de Portugal et des Algarves, M. le Baron de Sant' Anna, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté Très fidèle; || Sa Majesté le Roi de Serbie, M. Marinovitch, Son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté les Roi de Belges; || Le Conseil Fédéral de la Confédération Suisse, M. Rivier, Son Plénipotentiaire spécial, || Lesquels, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des articles suivants:

Art. 1. Il sera établi dans chacun des Etats contractants un bureau chargé du service des échanges.

Art. 2. Les publications que les Etats contractants s'engagent à échanger sont les suivantes: || 1° Les documents officiels, parlementaires et administratifs qui sont livrés à la publicité dans le lieu d'origine; || 2° Les ouvrages exécutés par ordre et aux frais des gouvernements.

Art. 3. Chaque bureau fera imprimer la liste des publications qu'il peut mettre à la disposition des Etats contractants. || Cette liste sera corrigée et complétée chaque année et adressée régulièrement à tous les bureaux d'échange.

Art. 4. Les bureaux d'échange s'entendront sur le nombre d'exemplaires qui pourront être demandés et fournis.

Art. 5. Les envois se feront directement de bureau à bureau. Il sera adopté des modèles et des formules uniformes pour les borderaux du contenu des caisses, ainsi que pour toutes les pièces de correspondance administrative, demandes, accusés de réception, etc.

Art. 6. Pour l'expédition à l'extérieur, chaque Etat se charge des frais d'emballage et de port jusqu'a destination. Toutefois, quand l'expédition se fera par mer, des arrangements particuliers régleront la part de chaque Etat dans les frais de transport.

Art. 7. Les bureaux d'échange serviront d'intermédiaires officieux entre les corps savants et les sociétés littéraires, scientifiques, etc. des Etats contractants, pour la réception et l'envoi de leurs publications. || Mais il demeurera bien entendu que, dans ce cas, le rôle des bureaux d'échange se bornera à la transmission en franchise des ouvrages échangés et que ces bureaux

Nr. 11075. Vertragsstaaten. 15. März 1885.

ne prendront aucunement l'initiative de provoquer l'établissement der ces relations.

Art. 8. Ces dispositions ne sont applicables qu'aux documents et ouvrages publiés à partir de la date de la présente Convention.

Art. 9. Les Etats qui n'ont pas pris part à la présente Convention sont admis à y adhérer sur leur demande. || Cette adhésion sera notifiée, par la voie diplomatique, au Gouvernement belge et par ce Gouvernement à tous les autres Etats signataires.

Art. 10. La présente Convention sera ratifiée et les ratifications seront échangées à Bruxelles aussitôt que faire se pourra. Elle est conclue pour dix ans, à partir du jour de l'échange des ratifications, et elle continuera à subsister au delà de ce délai tant que l'un des gouvernements n'aura pas déclaré six mois à l'avance qu'il y renonce. || En foi de quoi, les Plénipotentiaires respectifs l'ont signée et y ont apposé leurs cachets.

Fait à Bruxelles, en huit exemplaires, le 15 mars 1886.

(Unterschriften.)

Nr. 11076. VERTRAGSSTAATEN. — Konvention betr. den unmittelbaren Austausch des Journal officiel und der Parlamentspapiere.

Brüssel, des 15. März 1886.

Nr. 11076. Vertragsstaaten. 15. März 1886.

Sa Majesté le Roi des Belges, Sa Majesté l'Empereur du Brésil, Sa Majesté la Reine Régente d'Espagne, le Président des Etats-Unis d'Amérique, Sa Majesté le Roi d'Italie, Sa Majesté le Roi de Portugal et des Algarves, Sa Majesté le Roi de Serbie, désirant assurer l'échange immédiat du journal officiel ainsi que des annales et des documents parlementaires de leurs Etats respectifs, ont nommé pour leurs Plénipotentiaires, savoir: || Sa Majesté le Roi des Belges, M. le Prince de Caraman, Son Ministre des Affaires Etrangères et M. le Chevalier de Moreau, Son Ministre de l'Agriculture, de l'Industrie et des Travaux Publics: || Sa Majesté l'Empereur du Brésil, M. le comte de Villeneuve, Son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté le Roi des Belges; || Sa Majesté la Reine Régente d'Espagne, M. de Tavira, Chargé d'Affaires *ad interim* d'Espagne à Bruxelles; || Le Président des Etats-Unis d'Amérique, M. Lambert Tree, Ministre Résident des Etats-Unis à Bruxelles; || Sa Majesté le Roi d'Italie, M. de Marquis Maffei, Son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté le Roi des Belges; || Sa Majesté le Roi de Portugal et Algarves, M. le Baron de Sant' Anna, Envoyé Extraordinaire et Minstre Plénipotentiaire de Sa Majesté Très-Fidèle; || Sa Majesté le Roi de Serbie, M. Marinovitch, Son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté le Roi des Belges.|| Lesquels, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des articles suivants:

Art. 1. Indépendamment des obligations qui résultent de l'Article 2 de la Convention générale de ce jour, relative à l'échange des documents officiels et des publications scientifiques et littéraires, les Gouvernements respectifs s'engagent à faire expédier aux Chambres législavtives de chaque Etat contractant, au fur et à mesure de leur publication, un exemplaire du journal officiel, ainsi que des annales et des documents parlementaires livrés à la publicité.

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Art. 2. Les Etats qui n'ont pas pris part à la présente Convention sont admis à y adhérer sur leur demande. || Cette adhésion sera notifiée, par la voie diplomatique au Gouvernement belge et par ce Gouvernement à tous les autres Etats signataires.

Art. 3. La présente Convention sera ratifiée et les ratifications seront échangées à Bruxelles aussitôt que faire se pourra. Elle est conclue pour dix ans, à partir du jour de l'échange des ratifications et elle continuera à subsister au delà de ce délai tant que l'un des Gouvernements n'aura pas déclaré six mois à l'avance qu'il y renonce. || En foi de quoi, les Plénipotentiaires respectifs l'ont signée et y ont apposé leurs cachets.

Fait à Bruxelles, en sept exemplaires, le 15 mars 1886.

(Unterschriften.)

L'échange des ratifications a eu lieu à Bruxelles, le 14. janvier 1889.

Certifié par le secrétaire général
du ministère des affaires étrangères,
Bon Lambermont.

Nr. 11077. FANKREICH und BELGIEN. — Konvention über den Austausch von offiziellen Dokumenten.

Brüssel, 3. Aug. 1891.

Sa Majesté le Roi des Belges et le Président de la République française, désirant faciliter et régulariser l'échange, entre la Belgique et la France, des documents officiels, parlementaires et administratifs livrés à la publicité dans le lieu d'origine, ont résolu de conclure une Convention à cet effet, et ont nommé pour Leurs plénipotentiaires, savoir: || Sa Majesté le Roi des Belges, M. le prince de Chimay, officier de l'Ordre de Léopold, chevalier de l'Ordre de la Légion d'honneur, etc., membre de la Chambre des représentants, Son Ministre des affaires étrangères, et || Le Président de la République française, M. Bourée, officier de l'Ordre de la Légion d'honneur, etc., Envoyé extraordinaire et Ministre plénipotentiaire de la République française près Sa Majesté le Roi des Belges. || Lesquels, après s'être communiqué leurs pleins pouvoirs trouvés en bonne et due forme, sont convenus des articles suivants:

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Art. 1er. Il sera établi, dans chacun des Etats contractants, un bureau chargé des services des échanges.

Art. 2. Les publications que les Etats contractants s'engagent à échanger sont les documents officiels, parlementaires et administratifs qui sont

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livrés à la publicité dans le lieu d'origine. || Pourront toutefois être échangés, dans de certaines limites, les ouvrages exécutés aux frais de gouvernements.

Art. 3. Les bureaux d'échange s'entendront sur le nombre d'exemplaires qui pourront être demandés et fournis.

Art. 4. Les envois se feront directement de bureau à bureau. Il sera adopté des modèles et des formules uniformes pour les bordereaux du contenu des caisses, ainsi que pour toutes les pièces de correspondance administrative, demandes, accusés de réception, etc.

Art. 5. Pour l'expédition à l'extérieur, chaque Etat se charge des frais d'emballage et de port jusqu'à destination.

Art. 6. Les bureaux d'échange serviront d'intermédiaires officieux entre les corps savants et les sociétés littéraires, scientifiques, etc. des Etats contractants pour la réception et l'envoi de leurs publications. Mais il demeurera bien entendu que, das ce cas, le rôle des bureaux d'échange se bornera à la transmission en franchise des ouvrages échangés et que ces bureaux ne prendront aucunement l'initiative de provoquer l'établissement des ces relations.

Art. 7. Ces dispositions ne sont applicables qu'aux documents et ouvrages publiés à partir de la date de la présente Convention.

Art. 8. La présente Convention est conclue pour une période de dix ans. Elle continuera à rester en vigueur après l'expiration de la dite période jusqu'à ce que, six mois à l'avance, l'un des deux Etats contractants ait notifié son intention d'en faire cesser les effets.

Art. 9. La présente Convention sera ratifiée et les ratifications en seront échangées à Bruxelles aussitôt que faire se pourra. || En foi de quoi, les plénipotentiaires respectifs ont signé et y ont apposé leur cachet.

Fait en double expédition, à Bruxelles, le 3 août 1891.

(L. S.) Le Prince de Chimay. (L. S.) Bourée.

L'échange des ratifications a eu lieu à Bruxelles, le 16 mai 1892.

Certifié par le secrétaire général
du ministère des affaires étrangères,
Bon Lambermont.

Nr. 11078. VEREINIGTE STAATEN von AMERIKA und NIEDERLANDE. — Auslieferungsvertrag.

Washington, 2. Juni 1887.

(Austausch der Ratifikationen, Haag, 5. Mai 1889.)

Nr. 11078. Vereinigte Staaten von Amerika und Niederlande. 2. Juni 1887.

The United States of America and His Majesty the King of the Netherlands having judged it expedient, with a view to the better administration of justice and the prevention of crime within their respective territories and jurisdictions, that persons charged with, or convicted of, the crimes hereinafter enumerated, and being fugitives from justice, should, under certain circumstances, be reciprocally delivered up, have resolved to conclude a new

convention for that purpose, and have appointed as their plenipotentiaires: || The President of the United States of America; Thomas F. Bayard, Secretary of State of the United Staates, and || His Majesty the King of the Netherlands; William Ferdinand Henry von Weckherlin, His Majesty's Envoy Extraordinary and Minister Plenipotentiary to the United States, who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following articles:

Article I.

The United States of America and His Majesty the King of the Netherlands reciprocally engage to deliver up to justice all persons convicted of or charged with any of the crimes or offences enumerated in the following article, commited within the respective jurisdiction of the United States of America, or of the Kingdom of the Netherlands, exclusive of the Colonies thereof, such persons being actually within such jurisdiction when the crime or offence was committed, who shall seek an asylum or shall be found within the jurisdiction of the other, exclusive of the Colonies of the Netherlands: Provided, That this shall only be done upon such evidence of criminality as, according to the laws of the place where the fugitive so charged shall be found, would justify his apprehension and commitment for trial, if the crime or offence had been there committed.

Article II.

Persons shall be delivered up, according to the provisions of this convention, who shall have been charged with, or convicted of, any of the following crimes: || 1. Murder, including infanticide; manslaughter. || 2. Rape, bigamy, abortion. || 3. Arson. || 4. Mutiny, and rebellion on shipboard by two or more passengers against the authority of the commander of the ship, or by the crew or part of the crew, against the commander or the ship's officers. || 5. Burglary; or the corresponding crime in the Netherlands law under the description of thefts committed in an inhabited house by night, and by breaking in, climbing, or forcibly. || 6. The act of breaking into and entering public offices or the offices of banks, banking-houses, savingsbanks, trust companies, with intent to commit theft therein; and also the thefts resulting from such act. || 7. Robbery; or the corresponding crime punished in the Netherlands law under the description of theft committed with violence or by means of threats. || 8. Forgery, or the utterance of forged papers including the forgery or falsification of official acts of the Government or public authority or courts of justice affecting the title or claim to money or property. || 9. The counterfeiting, falsifying or altering of money, whether coin or paper, or of instruments of debt created by national, state, provincial, or municipal governments, or coupons thereof, or of bank-notes; or the utterance or circulation of the same, or the counterfeiting, falsifying or altering of the seals of State. || 10. Embezzlement by public officers. || 11. Embezzlement by any person or

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persons hired or salaried, to the detriment of their employers, when the offence is subject to punishment by imprisonment by the laws of both countries. || 12. Destruction or loss of a vessel on the high seas, or within the jurisdiction of the party asking the extradition, caused intentionally. || 13. Kidnapping of minors, defined to be the abduction or detention of a minor for any unlawful end. || 14. Obtaining by false devices money, valuables or other personal property, and the purchase of the same with the knowledge that they have been so obtained, when the crimes or offences are punishable by imprisonment or other corporal punishment by the laws of both countries. || 15. Larceny, defined to be the theft of effects, personal property, or money. || 16. Wilful and unlawful destruction or obstruction of railroads, which endangers human life. || Extradition shall also be granted for complicity in any of the crimes or offences enumerated in this article, provided that the persons charged with or convicted of such complicity may be punished as accessories with imprisonment of a year or more, by the laws of both countries. || Extradition may also be granted for the attempt to commit any of the crimes above enumerated, when such attempt is punishable with imprisonment of a year or more, by the laws of both contracting parties.

Article III.

The provisions of this convention shall not apply to any crime or offence of a political character, nor to acts connected with such crimes or offences; and no person surrendered under the provisions hereof shall in any case be tried or punished for a crime or offence of a political character, nor for any act connected therewith, committed previously to his extradition.

Article IV.

No person shall be tried or punished, after surrender, for any crime or offence other than that for which he was surrendered, if committed previous to his surrender, unless such crime or offence be one of those enumerated in Article II hereof.

Article V.

A fugitive criminal shall not be surrendered under the provisions hereof when, by lapse of time, he is exempt from prosecution or punishment for the crime or offence for which the surrender is asked, according to the laws of the country from which the extradition is demanded, or when his extradition is asked for the same crime or offence for which he has been tried, convicted or acquitted in that country, or so long as he is under prosecution for the same.

Article VI.

If the person whose extradition may be claimed pursuant to the stipulations hereof, be actually under prosecution for a crime or offence in the country where he has sought asylum, or shall have been convicted thereof,

his extradition may be defered until such proceedings be terminated, and until such criminal shall be set at liberty in due course of law.

Article VII.

If the person claimed by one of the parties hereto shall also be claimed by one or more powers, pursuant to treaty provisions on account of crimes committed within their jurisdiction, such criminal shall be delivered in preference, in accordance with that demand which is the earliest in date.

Article VIII.

Neither of the contracting parties shall be bound to deliver up, under the stipulations of this convention, its own citizens or subjects.

Article IX.

The expenses of the arrest, detention, examination and transportation of the accused shall be paid by the government which has preferred the demand for extradition.

Article X.

All articles found in the possession of the fugitive criminal at the time of his arrest, which were obtained through the commission of the act of which he is convicted or with which he is charged, or which may be material as evidence in making proof of the crime, shall, so far as practicable according to the laws or practice in the respective countries, be delivered up with his person at the time of surrender. Nevertheless, the rights of third parties, with regard to all such articles, shall be duly respected.

Article XI.

Requisitions for the surrender of fugitives from justice shall be made by the respective diplomatic agents of the contracting parties. In the event of the absence of such agents from the country, or its seat of government, requisition may be made by consular officers. || When the person whose extradition shall have been asked, shall have been convicted of the crime, a copy of the sentence of the court in which he may have been convicted, authenticated under its seal and accompanied by an attestation of the official character of the judge by the proper authority, shall be furnished. || If, however, the fugitive is merely charged with crime, a duly authenticated copy of the warrant of arrest in the country where the crime was committed, and of the depositions upon which such warrant may have been issued, shall be produced, authenticated as above provided, with such other evidence or proof as may be deemed competent in the case. || If, after an examination, it shall be decided, according to the law and evidence, that extradition is due pursuant to this convention, the fugitive shall be surrendered according to the forms of law prescribed in such cases.

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Article XII.

It shall be lawful for any competent judicial authority of the United States of America, upon production of a certificate issued by the Secretary of State that request has been made by the Government of the Netherlands for the provisional arrest of a person convicted or accused of the commission therein of a crime extraditable under this convention, and upon legal complaint that such crime has been so committed, to issue his warrant for the apprehension of such person. But if the formal requisition for surrender with the documentary proofs hereinbefore prescribed be not made as aforesaid, by the diplomatic agent of the demanding government, or, in his absence, by a consular officer thereof, within forty days from the date of the commitment of the person convicted or accused, the prisoner shall be discharged from custody. || And it shall be lawful for any competent judicial authority of the Netherlands, upon production of a certificate issued by the Minister of Foreign Affairs that request has been made by the government of the United States for the provisional arrest of a person convicted or accused of the commission therein of a crime extraditable under this convention, to issue his warrant for the apprehension of such person. But if the formal requisition for surrender with the documentary proofs hereinbefore prescribed be not made as aforesaid by the diplomatic agent of the demanding government, or, in his absence, by a consular officer thereof, within forty days from the date of the arrest of the person convicted or accused, the prisoner shall be discharged from custody.

Article XIII.

The present convention shall take effect on the twentieth day after its promulgation in the manner prescribed by the laws of the reepective countries. On the same day the Convention entered into by the two contracting parties on the 22d day of May, 1880, shall be abrogated and annulled. But the present Convention shall be held to apply to crimes enumerated in the former convention and committed prior to its abrogation and anullment. And as to other crimes, the present convention shall not be held to operate retroactively. || After the present convention shall have gone into operation, it shall continue until one of the two parties shall give to the other six months' notice of its desire to terminate it. || This convention shall be ratified, and the ratifications shall be exchanged at Washington or The Hague as soon as possible. || In testimony whereof the respective plenipotentiaries have signed the present convention, in duplicate, and have hereunto affixed their seals.

Done at the City of Washington the second day of June in the year of our Lord, one thousand eight hundred and eighty-seven.

T. F. Bayard. (Seal.)
W. F. H. von Weckherlin. (Seal.)

Nr. 11079. VEREINIGTE STAATEN VON AMERIKA und VENEZUELA. — Konvention über die Forderungen nordamerikanischer Unterthanen an Venezuela.

Washington, 5. Dez. 1885.

(Austausch der Ratifikationen 3. Juni 1889).

Nr. 11079. Vereinigte Staaten von Amerika und Venezuela. 5. Dez. 1885.

The President of the United States of America having on the 3d. day of March 1883, approved the following Joint Resolution of Congress: (Public Resolution No. 26.)

"Joint Resolution providing for a new Mixed Commission in accordance with the treaty of April twenty-fifth, eighteen hundred and sixty-six, with the United States of Venezuela. || Whereas since the dissolution of the mixed Commission appointed under the treaty*) of April twenty fifth, eighteen hundred and sixty-six, with the United States of Venezuela, serious charges, impeaching the validity and integrity of its proceedings, have been made by the Government of the United States of Venezuela, and also charges of a like character by divers citizens of the United States of America, who presented claims for adjudication before that tribunal; and || Whereas, the evidence to be found in the record of the proceedings of said Commission, and in the testimony taken before Committees of the House of Representatives in the matter, tends to show that such charges are not without foundation; and || Whereas it is desirable that the matter be finally disposed of in a manner that shall satisfy any just complaints against the validity and integrity of the first Commission, and provide a tribunal under said treaty constructed and conducted so as not to give cause for just suspicion; and || Whereas, all evidence before said late Commission was presented in writing and is now in the archives of the State Department; and || Whereas, the President of the United States has, in a recent communication to Congress, solicited its advisory action in this matter: || Therefore— || Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and he hereby is, requested to open diplomatic correspondence with the Government of the United States of Venezuela, with a view to the revival of the general stipulations of the treaty of April 25th, 1866, with said government and the appointment thereunder of a new Commission, to sit in the city of Washington, which Commission shall be authorized to consider all the evidence presented before the former Commission in respect to claims brought before it, together with such other and further evidence as the claimants, may offer; and from the awards that may be made to claimants, any moneys heretofore paid by the Department of State, upon certificates issued to them, respectively, upon awards made by the former Commission, shall be deducted, and such certificates deemed cancelled; and the moneys now in the Department of State received from the Government of Venezuela on account of said

*) Anm. 1. S. Nr. 11081. Anlage. Red.

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awards, and all moneys that may hereafter be paid under said treaty, shall be distributed pro rata in payment of such awards as may be made by the Commission to be appointed in accordance with this resolution."

And the proposal contemplated and authorized by the foregoing joint resolution of Congress having been made by the Government of the United States of America to the Government of the United States of Venezuela, and accepted by the latter through its diplomatic representative in Washington. The Government of the United States of America and the Government of the United States of Venezuela, to the end of effecting by means of a convention arrangements for the execution of the accord thus reached between the two Governments, have named their Plenipotentiaries to confer and agree thereupon, as follows: || The President of the United States of America, Thomas F. Bayard, Secretary of State of the United States of America; and || The President of the United States of Venezuela, Antonio M. Soteldo, Chargé d'Affaires of Venezuela at Washington; || Who after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following articles:

Article I.

The general stipulations of the Convention of April 25th 1866, between the contracting parties are hereby revived with such alterations as are required in conformity with the aforesaid joint resolution of the Congress of the United States, and with such further modifications as are deemed necessary for the certain and speedy accomplishment of the ends in view, and for the reciprocal protection of the interests of the high contracting parties as hereinafter provided.

Article II.

All claims on the part of corporations, companies, or individuals, citizens of the United States, upon the Government of Venezuela, which may have been presented to their Government or to its legation at Carácas, before the first day of August, 1868, and which by the terms of the aforesaid convention of April 25th 1866, were proper to be presented to the Mixed Commission organized under said convention shall be submitted to a new Commission, consisting of three Commissioners one of whom shall be appointed by the President of the United States of America, one by the Government of the United States of Venezuela and the third shall be chosen by these two Commissioners; if they cannot agree within ten days from the time of their first meeting as hereinafter provided, then the diplomatic representative of either Russia or Switzerland at this capital shall be requested by the Secretary of State and the Venezuelan Minister at Washington to name the third Commissioner. || In case of the death, resignation or incapacity of any of the Commissioners, or in the event of any of them omitting or ceasing to act, the vacancy shall be filled within three months by naming another Commissioner in like manner as herein provided for the original appointment.

Article III.

The Commissioners so appointed shall meet in the city of Washington at the earliest convenient time within three months from the exchange of the ratifications of this Convention, and shall, as their first act in so meeting, make and subscribe a solemn declaration that they will carefully examine and impartially decide, according to justice and in compliance with the provisions of this Convention, all claims submitted to them in conformity herewith, and such declaration shall be entered on the record of their proceedings.

Article IV.

The concurring judgment of any two Commissioners shall be adequate for every intermediate decision arising in the execution of their duty, and for every final decision or award.

Article V.

So soon as the Commission shall have organized, notice shall be given to the respective Governments of the date of organization and of readiness to proceed to the transaction of the business of the Commission. || The Commissioners shall thereupon proceed without delay to hear and examine all the claims which by the terms of the aforesaid Convention of April 25, 1866 were proper to be presented to the Mixed Commission organized under the Convention of April 25, 1866; and they shall to that end consider all the evidence admissible under the aforesaid Convention of April 25, 1866, in respect to claims adjudicable thereunder, together with such other and further evidence as the claimants may offer through their respective Governments, and such further evidence as may be offered to rebut any such new evidence offered on the part of the claimant, and they shall, if required, hear one person on behalf of each Government on every separate claim. || All the papers and evidence before the said former Commission, now on file in the archives of the Department of State at Washington, shall be laid before the Commission; and each Government shall furnish, at the request of the Commissioners, or of any two of them, all such papers and documents in its possession as may be deemed important to the just determination of any claim.

Article VI.

The commissioners shall make such decision as they shall deem, in reference to such claims, conformable to justice. || The concurring decisions of the three Commissioners, or of any two of them, shall be conclusive and final. Said decisions shall in every case be given upon each individual claim, in writing, stating in the event of a pecuniary award being made, the amount or equivalent value of the same, expressed in gold coin of the United States of America; and in the event of interest being allowed for any cause and embraced in such award, the rate thereof and the period for which it is to

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be computed shall be fixed, which period shall not extend beyond the close of the Commission; and said decision shall be signed by the Commissioners concurring therein. || In all cases where the Commissioners award an indemnity as aforesaid, they shall issue one certificate of the sum to be paid to each claimant, respectively, by virtue of their decisions, inclusive of interest when allowed, and after having deducted from the sum so found due to any claimant or claimants any moneys heretofore paid by the Department of State at Washington upon certificates issued to such claimants, respectively, upon awards made by the former Mixed Commission under the Convention of April 25th 1866. And all certificates of awards issued by the said former Mixed Commission shall be deemed cancelled from the date of the decision of the present Commission in the case in which they were issued. || The aggregate amount of all sums awarded by the present Commission, and of all sums accruing therefrom, shall be paid to the United States. Payment of said aggregate amount shall be made in equal annual payments to be completed within ten years from the date of the termination of the labors of the present Commission. Semi-annual interest shall be paid on the aggregate amount awarded, at the rate of five per cent, per annum from the date of the termination of the labors of the Commission.

Article VII.

The moneys now in the Department of State actually received from the Government of Venezuela on accound of the awards of the said former Mixed Commission under the convention of April 25, 1866, and all moneys that may hereafter be paid on said former account by the Government of Venezuela to the Government of the United States shall be credited to the Government of Venezuela in computing the aggregate total which may be found due to the Government of the United States under the stipulations of the preceding article, and the balance only shall be considered as due and payable with interest in ten annual payments as aforesaid. *Provided however*, That in the event of the aggregate amount which the present Commission may find due to the Government of the United States being less than the aggregate of the sums actually received from the Government of Venezuela, and remaining undistributed in the Department of State, at Washington, the Government of the United States will refund such excess to the Government of Venezuela within six months from the conclusion of the labors of the Commission. || The payment of moneys due from the Government of Venezuela to the Government of the United States under the former Convention of April 25, 1866, shall be deemed to have ceased from the first day of April 1883, to be resumed should occasion arise as hereinbefore provided.

Article VIII.

In the event of the annulment of any awards made by the former Mixed Commission under the Convention of April 25, 1866, the Government of the United States is not to be regarded as responsible to that of Venezuela for

any sums which may have been paid by the latter Government on account of said awards, so far as said sums may have been distributed. In like manner, if the awards made by the present Commission and the certificates issued by it shall in any cases be found less than the amount heretofore paid to the claimants from the moneys received from Venezuela, the Government of the United States shall not be regarded as responsible by reason thereof to the Government of Venezuela. || The rehearing provided in the present convention affects, as against the Government of the United States, only the installments of moneys paid to and now held by the United States, and those hereafter to be paid; and the effect of such annulment or reduction in any case shall be to discharge the Government of Venezuela, wholly and forever, from any obligation to pay further installments in such case, except as provided in the present convention.

Article IX.

It is further agreed that if the Commission, hereunder organized shall in whole or part annul any money awards made in any cases by the former Mixed Commission under the Convention of April 25, 1866, it shall be the duty of the Commission to examine and decide whether, under all the circumstances, and with due regard to principles of justice and equity there are any third parties who have, with the observance of due care and diligence, become possessed, prior to the date of the exchange of ratifications hereof, for a just and valuable consideration, of any portion of the certificates of award heretofore issued in said claims, and whether, under the constitution or laws of either of the contracting parties, said third parties have acquired vested rights, by virtue of the awards of the former Commission under the convention of 1866, imposing the duty on the Government of the United States to collect from Venezuela the amount or proportion of said certificates of awards which may be held and owned by third parties. || If the present Commission shall decide that there are third parties who are possessed of vested rights, then it shall examine and ascertain the sum paid by each and all of said third parties for their respective interests or shares in said awards, and shall fix the amount of their said interest in said certificates of award or each of them, and shall issue new certificates of award for the sums so adjudged due, which shall be paid by Venezuela to the United States in the manner hereinbefore stipulated, the same as all other certificates issued by the present Commission.

Article X.

Upon the conclusion of the labors of the Commission organized in virtue of this present Convention, the Department of State of the United States of America shall distribute pro rata among the holders of the certificates which may be issued under the present convention, the moneys in the Department of State actually received from the Government of Venezuela on account of the awards of the former Mixed Commission under the Convention of April 25,

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1866; and all moneys that may hereafter be paid to the United States under this present convention shall be in like manner distributed pro rata in payment of such awards as may be made under this present convention.

Article XI.

The decisions of the Commission organized under this present convention shall be final and conclusive as to all claims presented or proper to be presented to the former Mixed Commission.

Article XII.

The Commission appointed under this present convention shall terminate its labors within twelve months from the date of its organization. A record of the proceedings of the Commission shall be kept, and the Commissioners may appoint a Secretary.

Article XIII.

Notwithstanding that the present Commission is organized in consequence of representations made by the Government of Venezuela and that it deals solely with the claims of citizens of the United States, (for which reasons the United States might properly claim that all the expenses hereunder should be borne by Venezuela alone) it is agreed that, in continuation of the arrangement made in the former convention of 1866, the expenses shall be shared as follows: Each Government shall pay its own Commissioner and shall pay one-half of what may be due to the third Commissioner and the Secretary, and one-half of the incidental expenses of the Commission.

Article XIV.

Except so far as revived, continued, modified and replaced by the terms and effects of this present convention, the effects of the former convention of April 25, 1866, shall absolutely cease and determine from and after the date of the exchange of ratifications of this present convention, and the high contracting parties hereby agree that the responsibilities and obligations arising under said former convention shall be deemed wholly discharged and annulled by the substitution therefor of the responsibilities contracted and obligations created under this present convention, to which the high contracting parties mutually bind themselves to give full, perfect and final effect, without any evasion; reservation or delay whatever.

Article XV.

The present convention shall be ratified by the President of the United States by and with the advice and consent of the Senate of the United States of America; and by the President of the United States of Venezuela by and with the advice and consent of the Senate of the United States of Venezuela, and the ratifications shall be exchanged at Washington within twelve months

from the date of this present convention, and the publication of the exchange of ratifications shall be notice to all persons interested. || In testimony whereof the respective plenipotentiaries have hereunto affixed their signatures and seals. || Done in duplicate, in the English and Spanish languages, at the city of Washington, this 5th day of December 1885.

Nr. 11079. Vereinigte Staaten von Amerika und Venezuela. 5. Dez. 1885.

T. F. Bayard. (Seal.)
A. M. Soteldo. (Seal.)

Nr. 11080. VEREIN. STAATEN VON AMERIKA und VENEZUELA. — Erste Ergänzung zum Vorigen.

Washington, 15. März 1888.

(Austausch der Ratifikationen 3. Juni 1889.)

Nr. 11080. Vereinigte Staaten von Amerika und Venezuela. 15. März 1888.

Whereas doubts have arisen in respect of the true intent and meaning of Article IX of the treaty between the United States of America and the United States of Venezuela signed at Washington on the fifth day of December 1885, and, in consequence of such ambiguities, the exchange of ratifications of said treaty has not taken place within the period therein prescribed for such exchange; || And, whereas, the High Contracting Parties are desirous of removing all doubts in respect of the meaning and intent of said Article, and of extending the time for the exchange of ratifications of said treaty, to the end of reaching an amicable and honorable solution of the difficulties that now impair their good relations; || The Government of the United States of America and the Government of the United States of Venezuela, have named as their Plenipotentiaries to conclude a Convention for that purpose: the President of the United States of America, Thomas F. Bayard, Secretary of State of the United States of America; and the President of the United States of Venezuela, José Antonio Olavarria, Chargé d'Affaires of Venezuela at Washington; who after reciprocal communication of their full powers, found in due and good form, have agreed upon the following Articles:

Article I.

It is understood and agreed that in the event of any of the awards of the Mixed Commission under the Convention of April 25, 1866, being annulled in whole or in part by the Commission authorized and created by Article II of the treaty of December 5, 1885, no new award shall in any case be made by said Commission, to the holders of certificates of any award or awards annulled as aforesaid, in excess of the sum which may be found to be justly due to the original claimant.

Article II.

The time fixed for the exchange of the ratifications of the aforesaid treaty between the United States and Venezuela signed at Washington on the fifth day of December, A. D. one thousand eight hundred and eighty-five, is hereby

Nr. 11080. Vereinigte Staaten von Amerika und Venezuela. 15. März 1888.

extended to a period not exceeding five months from the date of this Convention or sooner of possible.

Article III.

The present Convention shall be ratified by the President of the United States of America by and with the advice and consent of the Senate thereof, and by the President of the United States of Venezuela by and with the advice and consent of the Congress thereof, and the ratifications shall be exchanged at Washington as soon as possible within the time specified in Article II hereof as the period of extension of the time for the exchange of ratifications of the treaty signed at Washington on the fifth day of December, 1885. || In witness whereof the respective plenipotentiaries have signed and sealed the present Convention in duplicate. || Done at Washington this 15th day of March, A. D. 1888.

T. F. Bayard. (Seal.)
J. A. Olavarria. (Seal.)

Nr. 11081. VEREIN. STAATEN VON AMERIKA und VENEZUELA. — Zweite Ergänzung zu Nr. 11079.

Washington, 5. Oktober 1888.

(Austausch der Ratifikationen 3. Juni 1889.)

Nr. 11081. Vereinigte Staaten von Amerika und Venezuela. 5. Okt. 1888.

Whereas, by Articles I and II of a Convention, signed and concluded by the respective Plenipotentiaries of the United States and Venezuela, in the city of Washington, on the 15th day of March, 1888, it was provided that the time fixed by the Convention between the said parties, signed and concluded December 5, 1885, for the exchange at Washington of the ratifications thereof, should be extended to a period not exceeding five months from the date of said Convention, to wit, from the 15th day of March, 1888, or sooner if possible, and that the ratifications of the said Convention of March 15, 1888, should in like manner be exchanged at Washington within the same period; || And whereas the period, as aforesaid prescribed, elapsed on the 15th day of August, 1888, without such exchange having been effected; || And whereas it appears that the Congress and Government of Venezuela did, according to the Constitutional forms of that Republic, ratify and confirm the said Conventions at Caracas on the 27th day of July, 1888, and that the President of the Republic of Venezuela did on the 2d day of August, 1888, fully empower the Representative of that Republic in the United States to exchange ratifications thereof with whoever should be duly authorized on behalf of the United States; || And whereas the said Conventions having been theretofore duly ratified by the President of the United States, by and with the advice and consent of the Senate thereof, the Secretary of State of the United States, duly empowered by the President of the United States, was ready on and before the said 15th day of August, 1888, to effect the exchange of ratifications of the said Conventions as stipulated; || And whereas, by reason

of unavoidable delay, the copy of the said Convention ratified by the Government of Venezuela as aforesaid and the necessary powers to enable the Representative of that Government in the United States to make exchange of ratifications could not be produced in the city of Washington, D. C., until after the expiration of the period so as aforesaid stipulated for the exchange of ratifications; ‖ Now, therefore, the Governments of the United States and Venezuela, being desirous of completing and putting in force the two Conventions aforesaid at the earliest day possible, have respectively named as their Plenipotentiaries to conclude a Convention for that purpose, ‖ The President of the United States of America, Thomas F. Bayard, Secretary of State of the United States of America. ‖ And the President of the United States of Venezuela, Francisco Antonio de Silva, Chargé d'Affaires of the United States of Venezuela at Washington; ‖ Who, after reciprocally satisfying each other in good and due form of their competency to negotiate to such end, have agreed upon the following Articles:

Article I.

The time fixed, by Articles I and II of the Convention between the Contracting Parties, signed at Washington, the 15th day of March, 1888, within which to effect the exchange of the ratifications of the Convention between said parties signed at Washington, on the 5th day of December, 1885, and also of the said Convention of the 15th day of March, 1888, is hereby extended to a period not exceeding ten months from the 15th day of August, one thousand eight hundred and eighty-eight, or sooner if possible.

Article II.

The present Convention shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof; and by the President of the United States of Venezuela, by and with the advice and consent of the Congress thereof; and the ratifications shall be exchanged at Washington, as soon as possible within the time specified in Article I hereof as the period of extension of the time for the exchange of ratifications of the Convention signed at Washington, on the 5th day of December, 1885, and of the Convention signed at Washington on the 15th day of March, 1888. ‖ In witness whereof, the respective Plenipotentiaries have signed and sealed the present Convention in duplicate, in the English and Spanish languages. ‖ Done at Washington, this fifth day of October, in the year of our Lord, one thousand eight hundred and eighty-eight.

T. F. Bayard. (Seal.)
Fco. Ant. Silva. (Seal.)

Anlage. Vereinigte Staaten von Amerika und Venezuela. 25. Mai 1866.

Anlage.

Konvention zwischen den Vereinigten Staaten von Amerika und Venezuela vom 25. Mai 1866.

Caracas, 25. Mai 1866.

The conclusion of a convention similar to those entered into with other republics, and by which the pending American claims upon Venezuela, might be referred for decision to a Mixed Commission and an Umpire, having been proposed to the Venezuelan Government on behalf of the United States of America, as a means of examining and justly terminating such claims; and it having been thought that the adoption of the contemplated course will secure, at least, some of the advantages attending Arbitration, so strongly recommended in article the 112th of the Federal Constitution of Venezuela, while it will preserve unimpaired as reciprocally desired, the good understanding of both nations, the Citizen First Vice-President in charge of the Presidency has accepted the above proposal and authorized the Minister for Foreign Relations to negotiate and sign the proper convention. Thereupon said Minister and Mr. E. D. Culver, Minister Resident of the United States of America, also duly empowered for that purpose, have agreed upon the following articles of Convention:

Article I.

All claims on the part of corporations, companies or individuals, citizens of the United States upon the Government of Venezuela which may have been presented to their Government or to its legation in Caracas shall be submitted for examination and decision to a Mixed Commission consisting of two members, one of whom shall be appointed by the Government of the United States, and the other by that of Venezuela. In case of death, absence, resignation or incapacity of either of the Commissioners, or in the event of either of them omitting or ceasing to act, the Government of the United States, or that of Venezuela respectively, or the Minister of the United States in Caracas by authority of his Government shall forthwith proceed to fill the vacancy. || The Commissioners so named, shall meet in the city of Caracas within four months from the exchange of the ratifications of this convention; and before proceeding to business, they shall make solemn oath that they will carefully examine and impartially decide according to justice, and in compliance with the provisions of this convention, all claims submitted to them; and such oath shall be entered on the record of their proceedings. || The Commissioners shall then proceed to appoint an Umpire, to decide upon any case or cases concerning which they may disagree or upon any point of difference, that may arise in the course of their proceedings. And if they cannot agree in the selection, the Umpire shall be named by the Diplomatic Representative either of Switzerland or of Russia in Washington, on the previous invitation of the high contracting parties.

Anlage. Vereinigte Staaten von Amerika und Venezuela. 25. Mai 1866.

Article II.

So soon as the Umpire shall have been appointed, the Commissioners shall proceed without delay to examine the claims, which may be presented to them, under this convention; and they shall, if required, hear one person in behalf of each Government on every separate claim. Each Government shall furnish, on request of either Commissioner, all such documents and papers in its possession, as may be deemed important to the just determination of any claim. || In cases, where they agree to award an indemnity, they shall determine the amound to be paid, and issue certificates of the same. In cases, when the Commissioners cannot agree, the points of difference shall be referred to the Umpire before whom each of the Commissioners may be heard, and whose decision shall be final. || The Commissioners shall make such decision as they shall deem, in reference to such claims, conformable to justice, even though such decisions amount to an absolute denial of illegal pretensions, since the including of any such in this convention is not to be understood as working any prejudice in favor of any one, either as to principles of right or matters of fact.

Article III.

The Commissioners shall issue certificates of the sums to be paid to the claimants respectively by virtue of their decisions, or those of the Umpire; and the aggregate amount of all sums awarded by the Commissioners, and of all sums, accruing from awards made by the Umpire, shall be paid to the Government of the United States. Payment of said sums shall be made in equal annual payments, to be completed within ten years from the date of the termination of the labors of the commission; the first payment to be made six months from the same date. Semi-annual interest shall be paid on the several sums awarded, at a rate of five per cent, per annum from the date of the termination of the labors of the Commission.

Article IV.

The Commission shall terminate its labors in twelve months from the date of its organization, except that thirty days extension may be given to issue certificates, if necessary, on the decisions of the Umpire in the case referred to in the following article. They shall keep a record of their proceedings, and may appoint a Secretary.

Article V.

The decisions of this Commission and those, (in case there may be any) of the Umpire, shall be final and conclusive as to all pending claims at the date of their installation. Claims which shall not be presented within the twelve months, herein prescribed will be disregarded by both Governments, and considered invalid. || In the event, that upon the termination of the labors of said Commission, there should remain pending one or more cases before

Anlage. Vereinigte Staaten von Amerika und Venezuela. 25. Mai 1866.

the Umpire, awaiting his decision, the said Umpire is authorized to make his decision and transmit same to the Commissioners, who shall issue their certificates thereupon and communicate [them] to each Government, which shall be held binding and conclusive; provided however that his decision shall be given within thirty days from the termination of the labors of the Commission, and after the expiration of the said thirty days, any decision made shall be void and of no effect.

Article VI.

Each Government shall pay its own Commissioner and shall pay one-half of what may [be] due the Umpire and Secretary, and one-half the incidental expenses of the Commission.

Article VII.

The present Convention shall be ratified, and the ratifications exchanged, so soon as may be practicable in the city of Caracas. || In testimony whereof the Plenipotentiaries have signed this Convention and hereunto affixed the seals of the Ministry of Foreign Relations of the United States of Venezuela, and of the Legation of the United States of America in Caracas this twenty-fifth day of April, in the year one thousand eight hundred and sixty-six.

The Minister Resident of the United States of America.

E. D. Culver. (Seal.)

The Minister of Foreign Relations of the United States of Venezuela,

Rafael Seijas. (Seal.)

Nr. 11082. VEREINIGTE STAATEN von AMERIKA und VENEZUELA. — Abkommen über ein Schiedsgericht zur Entscheidung von Forderungen einer nordamerikanischen Gesellschaft gegen Venezuela.

Caracas, 19. Januar 1892.

(Austausch der Ratifikationen Washington, 12. Juli 1894).

Nr. 11082. Vereinigte Staaten von Amerika und Venezuela. 19. Jan. 1892.

The Government of the United States of America and the United States of Venezuela, being mutually desirous of removing all causes of difference between them in a manner honorable to both parties and in consonance with their just rights and interests, have resolved to submit to arbitration the claim of the „Venezuela Steam Transportation Company", and have respectively named as their plenipotentiaries to conclude a Convention for that purpose: — || The President of the United States of America, William L. Scruggs, Envoy Extraordinary and Minister Plenipotentiary of the United States at Caracas; || And the President of the United States of Venezuela, Doctor Rafael Seijas, legal adviser for the Department of Foreign Relations; || Who, after having exhibited their respective full powers, found in good and due form have agreed upon the following Articles: —

Nr. 11082. Vereinigte Staaten von Amerika und Venezuela. 19. Jan. 1892.

Article I.

The high contracting parties agree to submit to arbitration the question whether any, and, if any, what indemnity shall be paid by the Government of the United States of Venezuela to the Government of the United States of America for the alleged wrongful seizure, detention and employment in war or otherwise of the Steamships Hero, Nutrias and San Fernando, the property of the "Venezuela Steam Transportation Company", a corporation existing under the laws of the State of New York, and a citizen of the United States, and the imprisonment of its officers, citizens of the United States.

Article II.

The question stated in Article I, shall be submitted to a board of three Commissioners, one to be appointed by the President of the United States of America, one by the President of the United States of Venezuela, and the third who shall not be either an American or a Venezuelan citizen, to be chosen by the two appointed as aforesaid; but if, within ten days from the time of their first meeting as hereinafter provided, the cannot agree upon the third Commissioner, the Secretary of State of the United States and the Venezuelan Minister at Washington shall forthwith request either the Diplomatic representative of Belgium or that of Sweden and Norway at that capital to name him subject to the restriction aforesaid. || The Commissioners to be chosen by the President of the United States of America and the President of the United States of Venezuela shall be appointed within a month from the date of the exchange of the ratifications of this Convention. || In case of the death, resignation or incapacity of any of the Commissioners, or in the event of any of them ceasing or omitting to act, the vacancy shall be filled in the same manner as is herein provided for the original appointment.

Article III.

The Commissioners appointed by the President of the United States of America and the President of the United States of Venezuela shall meet in the city of Washington at the earliest convenient moment within three months from the date of the exchange of the ratifications of this Convention, and shall proceed to the selection of a third Commissioner. || When such commissioner shall have been chosen, either by agreement betwen the two first named; or in the alternate manner hereinbefore provided, the three Commissioners shall meet in the city of Washington at the earliest practicable moment within five months from the date of the exchange of the ratifications of this Convention, and shall subscribe, as their first act, a solemn declaration to examine and decide the claim submitted to them in accordance with justice and equity and the principles of international law. || The concurrent judgment of any two of the Commissioners shall be adequate for the decision of any question that may come before them, and for the final award.

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Article IV.

The Commissioners shall decide the claim on the Diplomatic correspondence between the two Governments relative thereto, and on such legal evidence as may be sumitted to them by the high contracting parties within two months from the date of the first meeting of the full Commission. || Their decision shall be rendered within three months at farthest from the date of such first meeting, and shall be final and conclusive. || They shall hear one person as Agent in behalf of each Government and consider such arguments as either of such persons may present; and may, in their discretion, hear other counsel either in support of or in opposition to the claim.

Article V.

If the award shall be in favor of the United States of America, the amount of the indemnity, which shall be expressed in American gold, shall be paid in cash at the city of Washington, in equal annual sums, without interest, within five years from the date of the award, the first of the five payments to be made within eight months from that date. Each Government shall pay its own commissioner and agent, and all other expenses including clerk hire shall be borne by two the Governments in equal moieties.

Article VI.

This Convention shall be ratified by the President of the United States of America by and with the advice and consent of the Senate thereof; and by President of the the United States of Venezuela, with the approval of the Congress thereof; and the ratifications shall be exchanged at Washington as soon as possible. || In witness whereof, the respective plenipotentiaries have signed and sealed the present Convention in duplicate, in the English and Spanish languages. || Done at Caracas this nineteenth day of January, in the year of our Lord one thousand eight hundred and ninety-two.

William L. Scruggs. (Seal.)
Rafael Seijas. (Seal.)

Nr. 11083. VEREINIGTE STAATEN von AMERIKA und RUSSLAND Auslieferungsvertrag.

Washington 16./28. März 1887.
(Austausch der Ratifikationen, St. Petersburg 9./21. April 1893.)

Nr. 11083. Vereinigte Staaten von Amerika und Russland. 16./28. März 1887.

Les Etats-Unis d'Amérique et Sa Majesté l'Empereur de toutes les Russies ayant jugé opportun, en vue d'une meilleure administration de la justice et pour prévenir les crimes dans leurs territoires et juridictions respectifs, que les individus condamnés ou accusés du chef des crimes ci-après énumérés et qui se seraient soustraits par la fuite aux poursuites de la justice, fussent, dans certaines circonstances, réciproquement extradés, ont resolu de conclure une convention dans ce but et ont nommé pour leurs plénipotentiaires

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savoir: || Le Président des Etats-Unis d'Amérique, Thomas F. Bayard, Secrétaire d'Etat des Etats-Unis; et Sa Majesté l'Empereur de toutes les Russies, Charles Struve, Son Maître de la Cour, Envoyé Extraordinaire et Ministre Plénipotentiarie près le Gouvernement des Etats-Unis d'Amérique et le Baron Romain Rosen, Son Gentilhomme de la Chambre, Conseiller d'Etat et Consul-Général à New-York; Lesquels, après s'être communiqué leurs pleins pouvoirs trouvés en bonne et due forme, sont convenus des articles suivants:

Article I.

Les Hautes Parties contractantes s'engagent réciproquement à se livrer à la suite de requisitions mutuelles et conformément à leurs lois et modes de procédure respectifs, les individus qui, poursuivis ou condamnés du chef de l'un des crimes et délits énumerés à l'article suivant, commis sur le territoire de l'une des parties contractantes, chercheront un asile ou seront trouvés sur le territoire de l'autre. Toutefois l'extradition n'aura lieu que dans le cas où l'existence de l'infraction sera constatée de telle manière que les lois du pays où le fugitif ou la personne poursuivie sera trouvée, justifieraient sa detention et sa mise en jugement, si le crime ou délit y avait été commis.

Article II.

Seront livrés en vertu des dispositions de la presente Convention, les individus condamnés ou poursuivis du chef de l'un des crimes suivants y compris les cas de tentative et de participation comme complice antérieur au fait pourvu que cette tentative ou participation soit punissable selon la legislation des deux pays. || 1. Meurtre et "manslaughter" volontaire. || 2. Viol, et le crime de provoquer un avortement. || 3. Incendie. || 4. "Burglary" consistant dans l'action de s'introduire nuitamment et avec effraction ou escalade dans l'habitation d'autrui avec une intention criminelle; "robbery" consistant dans l'enlèvement forcé et criminel, effectué sur la personne d'autrui, d'argent ou d'effets, à l'aide de violence ou d'intimidation; vol, lorsque la valeur de l'argent ou des objets volés dépasse la somme de deux cents dollars ou trois cents roubles. || 5. Crime de faux ainsi que l'emission de documents falsifiés, y compris les actes publics du Gouvernement ou de l'autorité souveraine. || 6. Fabrication ou mise en circulation de fausse monnaie, ou de faux papier-monnaie ou de faux titres ou coupons de la dette publique, de faux billets de banque, de fausses obligations, ou, en général, de tout faux titre ou instrument de crédit quelconque; contrefaçon de sceaux, empreintes, timbres ou marques de l'Etat et des administrations publiques et mise en circulation de pièces ainsi marquées. || 7. Détournement de derniers publics commis par des officiers ou dépositaires publics || 8. Détournement commis par toute personne ou personnes employées ou salariées, au détriment de ceux qui les emploient, lorsque la valeur de l'argent ou des effets ainsi détournés dépasse la somme de deux cents dollars ou trois cents roubles. || 9. Piraterie ou rébellion à bord d'un

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navire, lorsque l'équipage ou partie de celui-ci aura pris possession du navire par fraude ou violence envers le commandant. || 10. Obstruction ou destruction volontaire ou illégale de voies ferrées qui mette en danger la vie humaine.

Article III.

L'extradition n'aura pas lieu, lorsqu'il sera prouvé qu'elle a été demandée dans le but de poursuivre ou de punir la personne réclamée pour un délit d'un caractère politique; aucun individu extradé ne pourra être poursuivi ou puni ni pour un délit politique commis antérieurement à son extradition ni pour aucun délit autre que celui pour lequel son extradition a été accordée; l'extradition ne pourra être demandée pour aucun délit commis antérieurement à la date à laquelle la présente Convention sera entrée en vigueur. || Ne sera pas réputé délit politique, ni fait connexe à un semblable délit, l'attentat contre la vie du chef de l'un ou de l'autre Etat contractant ou contre celle des membres de sa famille, lorsque cet attentat constituera soit le fait, soit la complicité, de meurtre d'assassinat ou d'empoisonnement.

Article IV.

Les parties contractantes ne seront point obligées de se livrer leurs propres citoyens ou sujets en vertu des stipulations de la présente convention.

Article V.

Lorsque la personne réclamée aura été mise en jugement dans le pays au Gouvernement duquel la demande d'extradition est addressée, ce Gouvernement est libre, soit d'accorder l'extradition, soit de poursuivre le procès intenté: il demeure entendu cependant que ce délai ne devra pas empêcher l'extradition ultérieure du fugitif, à moins que ce procès ne lui ait été intenté pour le même crime qui avait motivé la demande de son extradition.

Article VI.

Les demandes tendant à la remise des fugitifs, accusés ou condamnés du chef d'un des crimes ou délits cidessus énumérés, seront fait par l'agent diplomatique du Gouvernement requérant. En cas d'absence de cet agent, soit du pays, soit du siège du Gouvernement, ces demandes pourront être faites par l'agent consulaire supérieur. || Lorsque la personne réclamée aura déja été condamnée à raison du crime ou du délit qui a motivé la demande d'extradition, cette demande devra être accompagnée d'une expédition authentique de l'arrêt de la cour qui a prononcé la sentence, munie du sceau de cette cour. La signature du juge devra être legalisée par l'agent compétent du pouvoir exécutif du Gouvernement requérant, dont le caractère officiel sera, à son tour, attesté par l'agent diplomatique ou l'agent consulaire supérieur du Gouvernement auquel la demande est addressée. || Lorsque la personne réclamée sera seulement prévenue d'un crime ou délit pouvant motiver son extradition, la de-

mande d'extradition devra être accompagnée d'une copie authentique du mandat d'arrêt ou d'un autre document judiciaire équivalent, délivré par un juge ou un magistrat dûment autorisé à cet effet, ainsi que des dépositions ou déclarations faites devant ce juge ou magistrat et énonçant les actes dont le fugitif est prevenu.

Article VII.

Sur la présentation d'un certificat délivré par le Secretaire d'État, constatant que le Gouvernement Impérial de Russie a demandé la mise en état d'arrestation provisoire d'une personne condamnée ou poursuivie du chef d'un crime ou délit commis en Russie et pouvant donner lieu à son extradition en vertu de la présente Convention, et sur une plainte dûment déposée et énonçant que telle crime ou délit a été ainsi commis, toute autorité judiciaire competente des États-Unis aura le pouvoir légal de delivrer un mandat pour l'arrestation de cette personne. Mais si, dans l'espace de quarante jours à compter de la date de l'arrestation du fugitif, la demande formelle d'extradition, accompagnée des preuves formelles ci-dessus mentionnées n'est pas faite, ainsi qu'il est stipulé plus haut, par l'agent diplomatique du Gouvernement requérant ou, en son absence par l'agent consulaire compétent, le détenu sera mis en liberté; || et le Gouvernement Impérial de Russie prendra, sur la demande du Gouvernement des États-Unis transmise par l'agent diplomatique des États-Unis, ou, en son absence, par l'agent consulaire compétent, des mesures pour la mise en état d'arrestation provisoire de toute personne condamnée ou poursuivie du chef d'un crime ou délit commis dans les États-Unis et pouvant donner lieu à son extradition. Mais si, dans l'espace de quarante jours à compter de la date de l'arrestation du fugitif, la demande formelle d'extradition, accompagnée des preuves formelles ci-dessus mentionnées, n'est pas faite, ainsi qu'il est stipulé plus haut, par l'agent diplomatique du Gouvernement requérant ou, en son absence, par l'agent consulaire compétent, le détenu sera mis en liberté.

Article VIII.

Les objets trouvés en la possession du fugitif qui auront servi pour commettre le crime ou délit, et tous objets ou effets provenant du fait incriminé, ainsi que toute autre pièce de conviction, seront livrés aux agents du Gouvernement requérant, mêmes dans les cas où l'extradition ne pourrait avoir lieu par suite de la mort ou de la fuite de l'inculpé. Cette remise comprenda aussi les objets appartenant à la même catégorie et que le prévenu aurait cachés ou déposés dans le pays où il s'est refugié et qui y seraient trouvés plus tard. Sont cependant réservés les droits de tiers sur les objets susmentionnés, qui devront leur être rendus sans frais après la conclusion du procés. Une semblable réserve est egalement stipulée à l'égard du droit du Gouvernement, auquel la demande d'extradition est adressée, de retenir provisoirement les dits objets lors qu'il seraient nécessaires pour l'instruction d'une

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affaire pénale occasionnée par le même fait qui a donné lieu à la demande ou par un autre fait quelconque.

Article IX.

Dans le cas où la personne dont l'extradition est demandée en vertu de la présente Convention est aussi réclamée par un autre Gouvernement, elle sera livrée au Gouvernement dont la demande aura une date plus ancienne. Pourvu que le Gouvernement auquel l'extradition est demandée ne soit tenu en vertu d'un traité d'en agir autrement.

Article X.

Les dépenses causées par l'arrestation, la détention et le transport des individus réclamés, seront supportés par le Gouvernement requérant.

Article XI.

La présente Convention sera ratifiée et les ratifications en seront échangées à St. Petersbourg aussitôt que faire se pourra. || Elle sera exécutoire à dater du vingtième jour après sa promulgation dans les formes prescrites par les lois en vigueur dans les territoires d'état des Parties contractantes. Elle continuera à être en vigueur jusqu'a six mois après déclaration contraire de la part le l'une des Parties contractantes.

En foi de quoi les plénipotentiaires respectifs ont signé la présente Convention et y ont apposé le cachet de leurs armes. || Fait en double expédition à Washington, le seize (vingt-huit) Mars, mil huit-cent quatre-vingt-sept.

T. F. Bayard. (L. S.)
C. Struve. (L. S.)
Rosen. (L. S.)

Nr. 11084. VEREINIGTE STAATEN von AMERIKA und COLUMBIA — Auslieferungsvertrag.

Bogotá, 7. Mai 1888.
(Austausch der Ratifikationen 12. Nov. 1890.)

Nr. 11084. Vereinigte Staaten von Amerika und Columbia. 7. Mai 1888.

The President of the United States of America, and the President of the Republic of Colombia, with the view of facilitating the administration of justice and to insure the suppression of crimes, which may be committed within the territories and jurisdictions of the two countries and the perpetrators of which may attempt to escape punishment by leaving one country, and taking refuge in the other, have agreed to conclude a Convention establishing rules for the reciprocal extradition of persons accused or convicted of the crimes hereinafter enumerated. || And they have for that purpose authorized and empowered their respective Plenipotentiaries, to wit: — || The President of the United States of America — John G. Walker, Chargé d'Affaires ad interim, and the President of the Republic of Colombia — Vicente Restrepo,

Minister of Foreign Affairs, who after communicating to each other their respective full powers, which are found to be in due form, have agreed upon the following articles:

Article I.

The Government of the United States of America, and the Government of the Republic of Colombia, under the restrictions and limitations hereinafter contained, agree to deliver, reciprocally, all persons accused, or convicted, as principals or accessories, of any of the crimes mentioned in Article II of this Convention, committed within territories or jurisdiction of the one and who are found within the territories or jurisdistion of the other Government.

Article II.

The crimes for which extradition is to be reciprocally accorded, are as follows: || 1. Murder and attempts to commit murder, by assault, poison or otherwise.

2. Counterfeiting, or altering money, or knowingly uttering or bringing into circulation counterfeit or altered money; counterfeiting or altering certificates or coupons of public indebtedness, bank notes or other instruments of public credit; or knowingly uttering or circulating the same. || 3. Forgery, or altering, or uttering what is forged or altered. || 4. Embezzlement, being the criminal misapplication of public or private funds, documents or property; or the funds, documents or property of municipal or other corporations, held in trust by a public officer, or as a fiduciary agent, or a confidential employé. || 5. Robbery. || 6. Burglary, defined to be the breaking into or entering, either in day or night time, the house, office or other building of a government, corporation or private person, with the intent of committing a felony therein. || 7. Perjury, or the subornation of perjury. || 8. Rape. || 9. Arson. || 10. Piracy, as defined by the Law of Nations. || 11. Murder, manslaughter, or assault with intent to kill, on the high seas, on board of vessels sailing under the flag of the demanding party. || 12. Malicious destruction, or attempted destruction, of railways, bridges, tramways, vessels, dwellings, public edifices, or other buildings, when the act endangers human life.

Article III.

When the extradition of a criminal, charged or convicted of any of the foregoing offenses, is demanded, it must be supported by the production of a duly authenticated warrant of arrest, made in accordance with the laws of the country making the demand, and the depositions upon which it is based. || If the person whose extradition is demanded has already been convicted, the demand must be accompanied by a duly authenticated copy of the sentence of the court in which he was convicted, and with the attestation of the proper executive authority; the latter of which must be certified by the Minister or Consul of the Government upon which the demand is made.

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Article IV.

If the person demanded be held for trial in the country on which the demand is made, it shall be optional with the latter to grant extradition, or to proceed with the trial: Provided, that unless the trial shall be for the crime for which the fugitive is claimed, the delay shall not prevent ultimate extraditon.

Article V.

If it be made to appear that the extradition is sought with the view of trying or punishing the person demanded for an offense of a political character, surrender shall not take place; nor shall any person surrendered be tried or punished for a political offense, committed previously to extradition, or for any offence other than that for which extradition was granted.

Article VI.

The requisition for extradition shall be made through the diplomatic agents of the contracting parties, or in the event of the absence of these from the country or from the seat of government, by superior consular officers. The fugitive shall be surrendered only on such evidence of criminality as would justify his arrest and trial under the laws of the country where he is found, had the crime been there committed.

Article VII.

On being informed by telegraph, or other written communication, through the diplomatic channel, that a lawful warrant has been issued, by a competent authority, upon probable cause, for the arrest of a fugitive criminal, charged with any of the crimes enumerated in Article II of this Convention, and on being assured, through the same source, that a request for the surrender of such criminal is about to be made, in accordance with the provisions of this Convention, each government will endeavor to procure, so far as it lawfully may, the personal arrest of such criminal, and may keep him in safe custody, for a reasonable time, not exceeding three months, to await the production of the documents, upon which the claim for extradition is founded.

Article VIII.

When a person is extradited unter the formalities prescribed in this Convention, all documents and other objects, which may tend to establish his guilt, may be delivered to the demanding Government, as well as all money or effects which he may have or may have had in his possession or subject to his control, the unlawful possession or taking of which constitutes the offense, in whole or in part, for which his extradition is requested.

Article IX.

In case a person, who is equally a foreigner in the United States of America and in the Republic of Colombia, takes refuge in either country,

after having committed any of the foregoing crimes, within one or the other jurisdiction, extradition can be accorded only after the Government, or its Representative, of which the criminal is a citizen or subject, has been duly informed, and afforded an opportunity to file objections to the extradition.

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Article X.

Neither of the high contracting parties shall be bound to deliver up its own citizens, under the stipulations of this Convention.

Article XI.

The fact that the person whose extraditions is demanded, has contracted obligations of which extradition would hinder the performance, shall be no bar to his extradition.

Article XII.

The expenses of the arrest, detention, examination and transportation of the accused shall be paid by the Government requesting the extradition.

Article XIII.

The present Convention shall commence to be effective sixty days after the exchange of ratifications thereof, but offences committed, anterior to that time, shall furnish no grounds for a demand for extradition. For the termination of this convention twelve months notice must be given by either of the high contracting parties. || This Convention shall be ratified, and the ratifications exchanged in the City of Bogotá, as soon as possible. || In faith whereof, we, the Plenipotentiaries of the United States of America, and of the Republic of Colombia, have signed and sealed these presents, in the City of Bogotá, this seventh day of May in the year of Our Lord one thousand eight hundred and eighty-eight.

John G. Walker. (Seal.)
Vicente Restrepo. (Seal.)

Nr. 11085. VEREINIGTE STAATEN VON AMERIKA und MEXIKO. — Abkommen über den Grenzschutz gegen Indianer.

Washington, 25. Juni 1890.

Article I.

It is agreed that the regular federal troops of the two Republics may reciprocally cross the boundary line of the two countries when they are in close pursuit of a band of hostile savage Indians, upon the conditions stated in the following articles:

Nr. 11085. Vereinigte Staaten von Amerika und Mexiko. 25. Juni 1890.

Article II.

It is understood for the purpose of this agreement, that no Indian scouts of the Government of the United States of America shall be allowed to cross

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the boundary line, unless they go as guides and trailers, unarmed, and not exceeding in any case, two scouts for each Company or each separate command.

Article III.

The reciprocal crossing agreed upon in Article I, shall only occur in the unpopulated or desert parts of said boundary line. For the purpose of this agreement the unpopulated or desert parts are defined to be all those points which are at least ten kilometers distant from any encampment or town of either country.

Article IV.

No crossing of troops of either country shall take place from Capitan Leal, a town on the Mexican side of the Rio Bravo, eighty-four kilometers (52 English miles) above Piedras Negras, to the mouth of the Rio Grande.

Article V.

The Commander of the troops which cross the frontier in pursuit of Indians, shall, at the time of crossing, or before if possible, give notice of his march to the nearest military commander, or civil authority, of the country whose territory he enters.

Article VI.

The pursuing force shall retire to its own territory as soon as it shall have fought the band of which it is in pursuit, or have lost its trail. In no case shall the forces of the two countries, respectively, establish themselves or remain in the foreign territory, for any time longer than is necessary to make the pursuit of the band whose trail they follow.

Article VII.

The abuses which may be committed by the forces which cross into the territory of the other nation, shall be punished by the government to which the forces belong, according to the gravity of the offence and in conformity with its laws, as if the abuses had been committed in its own territory, the said government being further under obligation to withdraw the guilty parties from the frontier.

Article VIII.

In the case of offences which may be committed by the inhabitants of the one country against the foreign forces which may be within its limits, the government of said country shall only be responsible to the government of the other for denial of justice in the punishment of the guilty.

Article IX.

This being a provisional agreement it shall remain in force until both governments negotiate a definite one, and may be terminated by either government upon four months notice to the other to that effect; but in no case shall this agreement remain in force for more than one year from this date.

Article X.

Nr. 11085. Vereinigte Staaten von Amerika und Mexiko. 25. Juni 1890.

The Senate of the United Mexican States, having authorized the President to conclude the present agreement, it shall have its effect from this date. || In testimony whereof we have interchangeably signed this agreement this 25th day of June, 1890.

James G. Blaine. (Seal.)
M. Romero. (Seal.)

Nr. 11086. VERTRAGSSTAATEN. — Abkommen betr. die Schaffung einer internationalen Union zur Publikation der Zolltarife.

Brüssel, 5. Juli 1890.

Nr. 11086. Vertragsstaaten. 5. Juli 1890.

Convention concernant la Création d'une Union Internationale pour la Publication des Tarifs Douaniers entre: || La République Argentine, l'Autriche-Hongrie, la Belgique, la Bolivie, le Chili, l'État Indépendant du Congo, la République de Costa-Rica, le Danemark et ses Colonies, l'Espagne et ses Colonies, les États-Unis d'Amérique, la France et ses Colonies, la Grande-Bretagne et diverses Colonies anglaises, l'Inde Britannique, le Dominion du Canada, les Colonies de l'Australie de l'Ouest, du Cap de Bonne Espérance, de Natal, de la Nouvelle Galles du Sud, de la Nouvelle-Zélande, de Queensland, de Tasmanie, de Terre-Neuve et de Victoria, la Grèce, le Guatemala, la République de Haïti, l'Italie et ses Colonies, le Mexique, le Nicaragua, le Paraguay, les Pays-Bas et leurs Colonies, le Pérou, le Portugal et ses Colonies, la Roumanie, la Russie, le Salvador, le Royaume de Siam, la Suisse, la Turquie, l'Uruguay et le Venezuela. || Les soussignés, dûment autorisés, ont, sous réserve d'approbation, arrêté la convention suivante:

Article Ier. Il est formé entre les pays ci-dessus énumérés et tous les pays qui, dans la suite, adhéreront à la présente convention, une association sous le titre de "Union internationale pour la publication des Tarifs douaniers."

Art. 2. Le but de l'Union est de publier, à frais communs, et de faire connaître, aussi promptement et aussi exactement que possible, les Tarifs douaniers des divers États du globe et les modifications que ces tarifs subiront dans la suite.

Art. 3. A cette fin, il sera créé à Bruxelles un Bureau international chargé de la traduction et de la publication de ces Tarifs ainsi que des dispositions législatives ou administratives qui y apporteront des modifications.

Art. 4. Cette publication se fera dans un recueil intitulé: "Bulletin international des douanes (Organe de l'Union internationale pour la publication des Tarifs douaniers)." On adoptera à cet effet les langues commerciales les plus usitées.

Art. 5. Le personnel du Bureau international sera nommé par les soins du Ministère des Affaires Étrangères de Belgique, qui fera les avances de fonds nécessaires et veillera à la marche régulière de l'Institution.

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Art. 6. Dans la correspondance adressée par le Bureau international aux Gouvernements adhérents on fera usage de la langue française.

Art. 7. Un rapport sur les travaux et la gestion financière du Bureau international sera adressé chaque année aux Gouvernements adhérents.

Art. 8. Le budget annuel des dépenses du Bureau international est fixé au chiffre maximum de 125 000 francs. || En outre, un capital de 50 000 francs sera mis, la première année, à la disposition du Ministre des Affaires Étrangères de Belgique pour les frais d'installation du Bureau. || Les États et Colonies qui useraient ultérieurement de la faculté d'adhésion prévue à l'article 14 auront à payer leur quote-part de cette somme de 50 000 francs, sur la base de répartition fixée par l'article 9.

Les États et Colonies qui se retireraient de l'Union à l'expiration du premier terme de sept années perdront leur droit de copropriété dans le fonds commun. || En cas de liquidation, le fonds commun sera partagé entre les États et Colonies de l'Union, d'après la base de répartition fixée par l'article 9.

Art. 9. En vue de déterminer équitablement la part contributive des États contractants, ceux-ci sont répartis, à raison de l'importance de leur commerce respectif, en six classes intervenant chacune dans la proportion d'un certain nombre d'unités savoir: || 1re classe. Pays dont le commerce se monte régulièrement à plus de 4 milliards de francs: 55 unités. || 2e classe. Pays dont le commerce se monte régulièrement de 2 à 4 milliards de francs: 40 unités. || 3e classe. Pays dont le commerce se monte régulièrement de 500 millions à 2 milliards de francs: 25 unités. || 4e classe. Pays dont le commerce se monte régulièrement de 100 à 500 millions de francs: 20 unités. || 5e classe. Pays dont le commerce se monte régulièrement de 50 à 100 millions de francs: 15 unités. || 6e classe. Pays dont le commerce est régulièrement inférieur à 50 millions de francs: 5 unités.

Art. 10. Pour les pays dont la langue ne sera pas employée par le Bureau international, les chiffres ci-dessus seront respectivement diminués des deux cinquièmes. Ils seront donc réduits:

Pour	la	1re	classe	à 33	unités.
"	"	2e	"	à 24	"
"	"	3e	"	à 15	"
"	"	4e	"	à 12	"
"	"	5e	"	à 9	"
"	"	6e	"	à 3	"

Art. 11. Le total de la dépense annuelle, divisé par la somme des unités attribuées aux différents États contractants, en exécution des dispositions qui précèdent, donnera l'unité de dépense. Il suffira de multiplier celle-ci par le nombre d'unités assigné à chacun de ces États pour connaître le montant de sa contribution dans les frais du Bureau international.

Art. 12. A l'effet de mettre l'Institution à même de rédiger le Bulletin international des douanes aussi exactement que possible, les Parties con-

tractantes lui enverront, directement et sans retard, deux exemplaires: ‖ (a) de leur loi douanière et de leur tarif douanier, mis soigneusement à jour; ‖ (b) de toutes les dispositions qui y apporteront dans la suite des modifications; ‖ (c) des circulaires et instructions que lesdits Gouvernements adresseront à leurs bureaux de douane concernant l'application du tarif ou la classification des marchandises, et qui peuvent être rendues publiques; ‖ (d) de leurs traités de commerce, conventions internationales et lois intérieures qui ont un rapport direct avec les tarifs douaniers en vigueur.

Art. 13. Un règlement d'exécution ayant la même force obligatoire que la présente convention déterminera le mode de publication du Bulletin de l'Union et tout ce qui est relatif au budget du Bureau international et à l'organisation intérieure du service.

Art. 14. Les États et Colonies qui n'ont point pris part à la présente convention seront admis à y accéder ultérieurement. ‖ L'accession sera notifiée par écrit au Gouvernement belge qui la fera connaître à tous les autres Gouvernements contractants. L'accession emportera de plein droit adhésion à toutes les causes et admission à tous les avantages stipulés dans la présente convention.

Art. 15. La présente Convention sera mise à exécution le 1er avril 1891 et elle restera en vigueur pendant sept ans. ‖ Si, douze mois avant l'expiration des sept premières années, la présente convention n'a pas été dénoncée, l'Union subsistera pendant un nouveau terme de sept années et ainsi de suite, de sept en sept ans. ‖ La dénonciation sera adressée au Gouvernement belge. Elle n'aura d'effet qu'à l'égard du pays qui l'aura faite, la convention restant exécutoire pour les autres pays de l'Union. ‖ Les Gouvernements pourront introduire dans la présente convention, de commun accord et en tout temps, les améliorations qui seraient jugées utiles ou nécessaires. ‖ En foi de quoi, les soussignés ont signé la présente convention et y ont apposé leur cachet.

Fait à Bruxelles, le 5 Juillet mil huit cent quatre vingt dix.

(Unterschriften.)

Anlagen.

Règlement d'Exécution de la Convention instituant un Bureau international pour la publication des Tarifs Douaniers. ‖ (Article 13 de la Convention.)

Article 1er. Le Bulletin international des douanes sera publié en cinq langues, savoir: en Allemand, en Anglais, en Espagnol, en Français et en Italien.

Art. 2. Chaque État faisant partie de l'Union a la faculté de faire traduire et de publier à ses frais tout ou partie du Bulletin dans telle langue qu'il trouve utile, pourvu que ce ne soit pas l'une des langues adoptées par le Bureau international. ‖ Chacun des États de l'Union aura de même le droit de faire reproduire de simples extraits de tarifs ou, exceptionellement, des parties du Bulletin, soit dans un organe officiel local, soit dans ses documents

parlementaires. || Il est entendu d'ailleurs que chaque État reste libre comme par le passé de publier dans la langue originale ou en traduction tous les tarifs douaniers, pourvu que le texte publié ne soit pas l'oeuvre même du Bureau international.

Art. 3. Le Bureau international s'engage à apporter les plus grands soins dans la traduction des lois de douane et des publications officielles interprétatives de ces lois, mais il est entendu que les Gouvernements intéressés n'assument pas de responsabilité quant à l'exactitude de ces traductions et qu'en cas de contestation le texte original sera leur seul guide. || Un avertissement dans ce sens sera imprimé en note et en caractères gras au bas de la première page de chaque livraison.

Art. 4. Le format du Bulletin sera déterminé par le Bureau.

Art. 5. Chaque Gouvernement fera connaître en quelle langue, parmi celles adoptées par le Bureau international, il désire recevoir les exemplaires du Bulletin qui représenteront sa part d'intervention dans les frais de l'institution. || Un Gouvernement pourra prendre un certain nombre d'exemplaires en une langue et le restant en d'autres langues.

Art. 6. Le Bureau international ne peut fournir d'abonnements qu'aux Gouvernements des pays faisant partie de l'Union.

Art. 7. Le montant de la contribution proportionnelle de chaque État lui est rendu en abonnements au Bulletin de l'Union, calculés au pris de 15 francs chacun.

Art. 8. Les dépenses sont calculées approximativement comme suit: (a) Traitement des fonctionnaires et employés du Bureau international, y compris un supplément de traitement de 15 % 75 000 francs; (b) frais d'impression et d'envoi du Bulletin de l'Union 30 000 francs; (c) location et entretien du local affecté au Bureau international, chauffage, éclairage, fournitures, frais de bureau, etc. 20 000 francs; total 125 000 francs.

Art. 9. Le Ministre des Affaires Étrangères de Belgique est chargé de prendre les mesures nécessaires pour l'organisation et le fonctionnement du Bureau international, en restant dans les limites tracées par la Convention et par le présent Règlement.

Art. 10. Le chef du Bureau international est autorisé, sous l'approbation du Ministre des Affaires Étrangères de Belgique, à reporter sur l'exercice en cours les sommes non employées de l'exercice écoulé. Ces sommes serviront, le cas échéant, à constituer un fonds de réserve destiné à parer aux dépenses imprévues. La dite réserve ne pourra, en aucun cas, dépasser 25 000 francs. Le surplus permettra éventuellement d'abaisser le prix de l'abonnement au Bulletin, sans accroissement du nombre d'exemplaires garanti par les États contractants; cet excédent pourra servir aussi à couvrir les frais qu'occasionnerait l'adjonction d'une nouvelle langue de traduction à celles énumérées à l'article 1er. || Cette dernière mesure ne pourra se réaliser qu'avec l'assentiment unanime des États et Colonies faisant partie de l'Union.

Fait à Bruxelles, le 5 Juillet mil huit cent quatre vingt dix, pour être annexé à la Convention en date de ce jour.

(Unterschriften.)

Nr. 11086. Vertragsstaaten. 5. Juli 1890.

Schlusserklärung.

Les délégués soussignés, réunis ce Jour à l'effet de procéder à la signature de la Convention et du Règlement concernant l'institution d'une Union internationale pour la publication des tarifs douaniers, ont échangé les déclarations suivantes: || 1° En ce qui concerne la classification des pays de l'Union au point de vue de leur part contributive aux frais du Bureau international (arts. 9, 10 et 11 de la Convention): || Les délégués déclarent que, pour toute la durée de la Convention, les pays adhérents seront rangés dans les classes suivantes et auront à intervenir respectivement dans la proportion du nombre d'unités indiqué ci-après.

Première classe.	
Angleterre et ses colonies non spécialement dénommées ci-après	55
Belgique	55
États-Unis d'Amerique	55
France et ses colonies	55
Pays-Bas et leurs colonies	33
Russie	33
Deuxième classe.	
Autriche-Hongrie	24
Espagne et ses colonies	40
Inde Britannique	40
Italie et ses colonies	40
Troisième classe.	
Argentine (République)	25
Brésil	15
Canada	25
Danemark et ses colonies	15
Nouvelle-Galles du Sud	25
Portugal et ses colonies	15
Suisse	25
Turquie	15
Victoria	25
Quatrième classe.	
Cap de Bonne-Espérance	20
Chili	20
Colombie	20
Égypte	12
Equateur	20
Grèce	12
Japon	12
Mexique	20
Nouvelle-Zélande	20
Perse	12
Queensland	20
Roumanie	12
Uruguay	20
Venezuela	20
Cinquième classe.	
Bolivie	15
Costa-Rica	15
Guatemala	15
Haïti	15
Natal	15
Pérou	15
Serbie	9
Siam	9
Sud-Africaine (République)	9
Sixième classe.	
Australie de l'Ouest	5
Dominicaine (Réplublique)	5
État Indépendant du Congo	3
Hondouras (République)	5
Nicaragua	5
Paraguay	5
Salvador	5
Tasmanie	5
Terre-Neuve	5

Quant aux chiffres des cotisations qui ont figuré dans le tableau de répartition des frais, arrêté le 26 février 1890, ils sont reproduits ci-après à titre de renseignement, la contribution de chaque État ne pouvant être déterminée d'une façon absolument précise que lorsque toutes les adhésions seront devenues définitives. Il est entendu toutefois qu'en aucun cas ces chiffres ne pourront subir de majoration pendant la durée de la Convention.

	Somme à payer.	Contre-valeur en abonnements.
Première classe.		
Angleterre et ses colonies non specialement dénommées ci-après	6833	456
Belgique	6833	456
États-Unis d'Amérique .	6833	456
France et ses colonies .	6833	456
Pays-Bas et leurs colonies	4100	274
Russie	4100	274
Deuxième Classe.		
Autriche-Hongrie . . .	2982	199
Espagne et ses colonies .	4970	332
Inde Britannique . . .	4970	332
Italie et ses colonies . .	4970	332
Troisième classe.		
Argentine (République) .	3106	207
Brésil	1863	124
Canada	3106	207
Danemark et ses colonies	1863	124
Nouvelle-Galles du Sud .	3106	207
Portugal et ses colonies .	1863	124
Suisse	3106	207
Turquie	1863	124
Victoria	3106	207
Quatrième Classe.		
Cap de Bonne-Espérance .	2485	166
Chili	2485	166
Colombie	2485	166
Égypte	1491	100
Équateur	2485	166
Grèce	1491	100
Japon	1491	100
Mexique	2485	166
Nouvelle-Zélande	2485	166
Perse	1401	100
Queensland	2485	166
Roumanie	1491	100
Uruguay	2485	166
Venezuela	2485	166
Cinquième Classe.		
Bolivie	1863	124
Costa Rica	1863	124
Guatemala	1863	124
Haïti	1863	124
Natal	1863	124
Pérou	1863	124
Serbie	1118	75
Siam	1118	75
Sud-Africaine (République)	1118	75
Sixième Classe.		
Australie de l'Ouest . .	621	42
Dominicaine (République) .	621	42
État Indépendant du Congo	372	25
Honduras (République) .	621	42
Nicaragua	621	42
Paraguay	621	42
Salvador	621	42
Tasmanie	621	42
Terre-Neuve	621	42

2°. En ce qui concerne le paiement des cotisations échéant aux parties contractantes: ‖ Les délégués déclarent qu'il s'effectuera à Bruxelles dans le courant du premier trimestre de chaque exercice et en monnaies ayant cours légal en Belgique.

3°. En ce qui concerne la mise à exécution de la Convention, fixée au 1er avril 1891: || Les délégués déclarent qu'elle sera précédée, si possible, d'une notification d'adhésion définitive de la part des Gouvernements intéressés; que, néanmoins, cette formalité n'est pas indispensable et que l'on maintiendra sur la liste des adhérents les pays signataires de la présente Convention qui, à la date du 1er avril 1891, n'auraient pas exprimé formellement l'intention de se retirer.

Nr. 11086. Vertragsstaaten. 5. Juli 1890.

En foi de quoi, les délégués respectifs ont signé le présent procès-verbal.

Fait à Bruxelles, le 5 Juillet mil huit cent quatre-vingt dix.

(Unterschriften.)

Nr. 11087. GROSSBRITANNIEN und RUMÄNIEN. — Handelsvertrag.

Bukarest, 13. August 1892.

(Austausch der Ratificationen 31. Jan. 1893.)

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and His Majesty the King of Roumania, being mutually desirous of consolidating their ties of friendship, and of developing the commercial relations between the two States, have, with this object, determined to conclude a Convention, and have named as their respective Plenipotentiaries, that is to say: || Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, Arthur George Vansittart, Esq., &c., &c., Her Britannic Majesty's Chargé d'Affaires at Bucharest; || His Majesty the King of Roumania, M. Lascar Catargi, Grand Cross of His Order of the Star of Roumania, &c., &c., &c., President of His Council, Minister Secretary of State for the Department of the Interior, and Acting Minister for Foreign Affairs; || Who, after having communicated to each other their Full Powers, found in good and due form, have agreed upon the following Articles:—

Nr. 11087. Grossbritannien und Rumänien. 13. Aug. 1892.

Article I.

The subjects, vessels, and goods, produce of the soil and industry of each of the two High Contracting Parties, shall enjoy, in the dominions of the other, all privileges, immunities, or advantages granted to the most favoured nation.

It is, however, understood that the foregoing stipulation does not in any way affect the special Laws, Ordinances, and Regulations with regard to trade, industry, police, and public security, in force in each of the two countries, and applicable to all foreigners in general.

Article II.

All articles, produce of the soil or industry of Great Britain and Ireland, which shall be imported into Roumania, and all articles, produce of the soil or industry of Roumania, which shall be imported into Great Britain and Ireland, whether destined for consumption, warehousing, re-exportation, or transit, shall be subjected, as long as this Convention holds good, to the same

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treatment, and, especially, shall be liable to no higher or other duties than the produce or goods of the most favoured nation. || No higher or other duties shall be levied in Great Britain and Ireland on the exportation of goods to Roumania, or in Roumania on the exportation of goods to Great Britain and Ireland, than may be levied on the exportation of the like goods to the country the most favoured in this respect. || Each of the High Contracting Parties undertakes that the other shall enjoy immediately every favour, privilege, or reduction of duties which have been already granted, or may be granted hereafter, under the above-named conditions, by similar Treaties to a third Power. || Goods of all kinds coming from, or proceeding to, the territory of one of the High Contracting Parties shall be exempted, in the territory of the other, from all transit dues. Most-favoured-nation treatment is mutually guaranteed to each of the Contracting Parties in all that concerns transit.

Article III.

The subjects of each of the two High Contracting Parties shall be exempted, in the territory of the other, from all military service and from all extraordinary requisitions which may be established on account of exceptional circumstances. || The liabilities, however, arising out of the possession of landed property, and for military loans and requisitions to which all the subjects of the State may be called upon to contribute as proprietors, farmers, or tenants of real property, shall be excepted.

Article IV.

The present Convention shall be applicable, as far as the laws permit, to all the Colonies and foreign possessions of Her Britannic Majesty, excepting to those hereinafter named, that is to say, except to: || India. || The Dominion of Canada. || Newfoundland. || New South Wales. || Victoria. || South Australia. || Western Australia. || Queensland. || Tasmania. || New Zealand. || The Cape of Good Hope. || Natal. || Provided always that the present Convention shall be made applicable to any of the above-named Colonies or foreign possessions on whose behalf notice to that effect shall have been given by Her Britannic Majesty's Representative to the Roumanian Minister for Foreign Affairs within two years from the date of the signature of the present Convention.

Article V.

The two High Contracting Parties reserve to themselves reciprocally the right of denouncing at any time the present Convention by giving a year's notice.

Article VI.

The present Convention shall be ratified, and the ratifications shall be exchanged at Bucharest as soon as possible, as soon as the formalities required by the Constitutional Laws of the two High Contracting Parties have

been fulfilled. || In witness whereof the respective Plenipotentiaries have signed the present Convention, and have affixed thereto their seals. || Done in duplicate at Bucharest, the thirteenth (first) day of August, of the year one thousand eight hundred and ninety-two.

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(Signed)

(L. S.) Arthur George Vansittart.

Anlage.

List of British Colonies which have acceded to the above Convention under Article IV.

1. Newfoundland May 16, 1893. || 2. Tasmania June 21, 1893. || 3. Natal August 10, 1893. || 4. Queensland August 20, 1893. || 5. South Australia August 20, 1893.

The following British Colonies and Foreign possessions have not acceded to the Convention.

1. India. || 2. Canada. || 3. Victoria. || 4. Western Australia. || 5. New Zealand. || 6. Cape of Good Hope. || 7. New South Wales.

Nr. 11088. GROSSBRITANNIEN und VEREINIGTE STAATEN von AMERIKA. — Grenzregulierung in Nordamerika.

Washington, 22. Juli 1892.

(Austausch der Ratifikationen 23. Aug. 1892.)

The United States of America and Her Majesty the Queen of the United Kingdom of Great, Britain and Ireland, being equally desirous to provide for the removal of all possible cause of difference between their respective governments hereafter in regard to the delimitation of the existing boundary between the United States and Her Majesty's possessions in North America in respect to such portions of said boundary as may not in fact have been permanently marked in virtue of treaties heretofore concluded; have resolved to conclude a Convention in furtherance of these ends, and for that purpose have appointed as their respective Plenipotentiaries;

Nr. 11088. Grossbritannien und Vereinigte Staaten von Amerika. 22. Juli 1892.

The President of the United States, John W. Foster, Secretary of State of the United States, and || Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, The Honorable Michael H. Herbert, Chargé d'Affaires ad interim of Great Britain. || Who, after having communicated to each other their respective full powers, which were found to be in due and proper form, have agreed to and concluded the following Article:

Article I.

The High Contracting Parties agree that a coincident or joint survey (as may be found in practice most convenient) shall be made of the territory

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adjacent to that part of the boundary line of the United States of America and the Dominion of Canada dividing the Territory of Alaska from the Province of British Columbia and the Northwest Territory of Canada, from the latitude of 54° 40′ North to the point where the said boundary line encounters the 141st degree of longitude westward from the meridian of Greenwich, by Commissions to be appointed severally by the High Contracting Parties, with a view to the ascertainment of the facts and data necessary to the permanent delimitation of said boundary line in accordance with the spirit and intent of the existing treaties in regard to it between Great Britain and Russia and between the United States and Russia. || Application will be made without delay to the respective legislative bodies for the appropriations necessary for the prosecution of the survey, and the Commissions to be appointed by the two governments shall meet at Ottawa within two months after said appropriation shall have been made, and shall proceed as soon as practicable thereafter to the active discharge of their duties. || The respective Commissions shall complete the survey and submit their final reports thereof within two years from the date of their first meeting. || The Commissions shall, so far as they may be able to agree, make a joint report to each of the two governments, and they shall also report, either jointly or severally, to each government on any points upon which they may be unable to agree. || Each government shall pay the expenses of the Commission appointed by it. || Each government engages to facilitate in every possible way any operations which, in pursuance of the plan to be agreed upon by the Commissions, may be conducted within its territory by the Commission of the other. || The High Contracting Parties agree that, as soon as practicable after the report or reports of the Commissions shall have been received, they will proceed to consider and establish the boundary line in question.

Article II.

The High Contracting Parties agree that the Governments of the United States and of Her Britannic Majesty in behalf of the Dominion of Canada shall, with as little delay as possible, oppoint two Commissioners, one to be named by each party, to determine upon a method of more accurately marking the boundary line between the two countries in the waters of Passamaquoddy Bay in front of and adjacent to Eastport, in the State of Maine, and to place buoys or fix such other boundary marks as they may determine to be necessary. || Each government shall pay the expenses of its own Commissioner, and cost of marking the boundary in such manner as shall be determined upon shall be defrayed by the High Contracting Parties in equal moieties.

Article III.

The present Convention shall be duly ratified by the President of the United States of America, by and with the advice and consent of the Senate

thereof, and by Her Britannic Majesty; and the ratifications shall be exchanged at Washington within twelve months from the date hereof, or earlier if possible. || In faith whereof we, the respective Plenipotentiaries, have signed this Convention and have hereunto affixed our seals. || Done in duplicate at Washington the 22d day of July one thousand eight hundred and ninety-two.

Nr. 11088. Grossbritannien und Vereinigte Staaten von Amerika. 22. Juli 1892.

John W. Foster. (Seal.)
Michael H. Herbert. (Seal.)

Nr. 11089. GROSSBRITANNIEN und SERBIEN. — Handelsvertrag.

Belgrad, $\frac{28. \text{ Juni}}{10. \text{ Juli}}$ 1893.

(Austausch der Ratifikationen $\frac{4}{16}$. Oktober 1893.)

Nr. 11089. Grossbritannien und Serbien. $\frac{28. \text{ Juni}}{10. \text{ Juli}}$ 1893.

Sa Majesté la Reine du Royaume-Uni de la Grande-Bretagne et d'Irlande, Impératrice des Indes, et Sa Majesté le Roi de Serbie, également animés du désir de consolider leurs liens d'amitié et de développer les rapports commerciaux entre les deux Etats, ont résolu de conclure à cet effet un Traité, et ont nommé pour leurs Plénipotentiaires, savoir: || Sa Majesté la Reine du Royaume-Uni de la Grande-Bretagne et d'Irlande, Impératrice des Indes, M. Edmund Douglas Veitch Fane, son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté le Roi de Serbie; || Sa Majesté le Roi de Serbie, son Excellence M. Andra Nikolitch, son Ministre des Affaires Etrangères; || Lesquels, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des Articles suivants:—

Article I.

Il y aura pleine et entière liberté de commerce et de navigation entre les pays des Hautes Parties Contractantes. || Les sujets, les navires, et les marchandises, produits du sol et de l'industrie de chacune des Hautes Parties Contractantes, jouiront dans les territoires de l'autre de tous les droits, privilèges, immunités, ou avantages quelconques dont jouissent actuellement ou jouiront à l'avenir dans ces territoires, les sujets, les navires, et les marchandises, produits du sol et de l'industrie de la nation la plus favorisée.

Article II.

Tous les objets, produits du sol ou de l'industrie de la Grande-Bretagne et d'Irlande, qui seront importés en Serbie, et tous les objets produits du sol ou de l'industrie de la Serbie qui seront importés dans la Grande-Bretagne et l'Irlande, destinés soit à la consommation, soit à l'emmagasinage, soit à la réexportation, soit au transit, seront soumis pendant la durée de ce Traité au même traitement, et, nommément, ne seront passibles de droits ni plus élevés ni autres que les produits ou les marchandises de la nation la plus favorisée. A l'exportation pour la Serbie il ne sera perçu en Grande-Bretagne et en Irlande et à l'exportation pour la Grande-Bretagne et l'Irlande, il ne sera

Nr. 11089. Grossbritannien und Serbien. 28. Juni / 10. Juli 1893.

perçu en Serbie d'autres ni plus élevés droits de sortie qu'à l'exportation des mêmes objets pour le pays le plus favorisé à cet égard. || Chacune des Hautes Parties Contractantes s'engage donc à faire profiter l'autre immédiatement et sans condition de toute faveur, de tout privilège ou abaissement de droits qu'elle a déjà accordés ou pourrait accorder par la suite, sous les rapports susmentionnés, à une tierce Puissance. || Les marchandises de toute nature provenant du territoire de l'une des Hautes Parties Contractantes ou y allant, seront exemptes dans les territoires de l'autre; de tous droits de transit. Le traitement de la nation la plus favorisée est réciproquement garanti à chacune des Parties Contractantes pour tout ce qui concerne le transit. || Il est entendu que les dispositions du présent Article ne s'appliquent point aux facilités et privilèges spéciaux, qui ont été ou qui pourront être accordés par la Serbie aux États voisins, par rapport au trafic local entre leurs districts frontières limitrophes.

Article III.

Il est convenu que, en ce qui regarde les frais de transport et toute autre facilité, les marchandises Serbes transportées sur les chemins de fer Britanniques et les marchandises Britanniques transportées sur les chemins de fer Serbes, seront traitées exactement de la même manière que les marchandises de toute autre nation la plus favorisée sous le dit rapport.

Article IV.

Les ressortissants de chacune des deux Hautes Parties Contractantes seront exemptes, dans le territoire de l'autre, de tout service militaire et de toutes réquisitions extraordinaires qui seraient établies par suite de circonstances exceptionnelles. || Sont toutefois exceptées les charges qui sont attachées à la possession d'un bien fonds, ainsi que les prestations et réquisitions militaires auxquelles les nationaux peuvent être appelés à se soumettre, comme propriétaires, fermiers, ou locataires d'immeubles.

Article V.

Les sujets de chacune des deux Hautes Parties Contractantes jouiront dans les États de l'autre de la même protection et seront assujettis aux mêmes obligations que les nationaux ou les sujets de la nation la plus favorisée, pour tout ce qui concerne la propriété soit des marques de fabrique et de commerce, des noms commerciaux ou d'autres marques particulières indiquant l'origine ou la qualité des marchandises, soit des modèles et dessins industriels.

Article VI.

Le présent Traité s'appliquera, en tant que les lois le permettent, à toutes les Colonies et possessions étrangères de Sa Majesté Britannique, à l'exception de celles ci-après dénommées, à savoir:— || Les Indes. || Le Canada. || Terre-Neuve. || La Nouvelle-Galles du Sud. || Victoria. || L'Australie du Sud. ||

L'Australie Occidentale. || Queensland. || La Tasmanie. || La Nouvelle Zélande. || Le Cap. || Natal. || Le présent Traité deviendra applicable à l'une des Colonies ou des possessions étrangères susmentionnées si, en leur nom, notification à cet égard est faite par le Représentant de Sa Majesté Britannique à Belgrade au Ministre des Affaires Étrangères de Sa Majesté le Roi de Sérbie, dans l'intervalle de deux ans à partir de la signature du présent Traité.

Nr. 11089. Grossbritannien. und Serbien. $\frac{28. \text{ Juni}}{10. \text{ Juli}}$ 1893.

Article VII.

Le présent Traité sera ratifié, et les ratifications en seront échangées à Belgrade, aussitôt après l'accomplissement des formalités prescrites par les Lois Constitutionnelles des États Contractants. || Il sera exécutoire à partir du jour de l'échange des ratifications jusqu'au $\frac{31}{19}$ Décembre, 1903. Dans le cas ou aucune des deux Hautes Parties Contractantes n'aurait notifié, douze mois avant la fin de la dite période, son intention d'en faire cesser les effets, il demeurera obligatoire jusqu'à l'expiration d'une année, à partir du jour où l'une ou l'autre des Hautes Parties Contractantes l'aura dénoncé. || En foi de quoi les Plénipotentiaires respectifs ont signé le présent Traité, et y ont apposé leurs cachets.

Fait à Belgrade, en double original, le $\frac{10 \text{ Juilet}}{28 \text{ Juin}}$, 1893.

(L. S.) Edmund d. v. Fane.

(L. S.) And. Nikolitch.

Anlage.

List of British Colonies and foreign possessions which have acceded to the above Treaty under article VI:—

1. Natal March 3, 1894. || 2. Newfoundland March 3, 1894. || 3. Queensland April 11, 1894. || 4. Victoria April 17, 1894. || 5. India April 27, 1894.

The following colonies have not acceded to the Treaty:—

1. Canada. || 2. South Australia. || 3. Western Australia. || 4. Tasmania. || 5. New Zealand. || 6. The Cape of Good Hope. || 7. New South Wales.

Nr. 11090. VEREINIGTE STAATEN VON AMERIKA und CHINA.

Vertrag über die Auswanderung.

Washington, 17. März 1894.

(Austausch der Ratificationen 7. Dezember 1894.)

Nr. 11090. Vereinigte Staaten von Amerika und China. 17. März 1894.

Whereas, on the 17th day of November A. D. 1880, and of Kwanghsü, the sixth year, tenth moon, fifteenth day, a Treaty was concluded between the United States and China for the purpose of regulating, limiting, or suspending the coming of Chinese laborers to, and their residence in, the United States; || And whereas the Government of China, in view of the antagonism and much deprecated and serious disorders to which the presence of Chinese laborers has given rise in certain parts of the United States, desires to prohibit the emigration of such laborers from China to the United States; || And

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whereas the two Governments desire to cooperate in prohibiting such emigration, and to strengthen in other ways the bonds of friendship between the two countries; ‖ And whereas the two Governments are desirous of adopting reciprocal measures for the better protection of the citizens or subjects of each within the jurisdiction of the other; ‖ Now, therefore, the President of the United States has appointed Walter Q. Gresham, Secretary of State of the United States, as his Plenipotentiary, and His Imperial Majesty, the Emperor of China has appointed Yang Yü, Officer of the second rank, Sub-Director of the Court of Sacrificial Worship, and Envoy Extraordinary and Minister Plenipotentiary to the United States of America, as his Plenipotentiary; and the said Plenipotentiaries having exhibited their respective Full Powers found to be in due and good form, have agreed upon the following articles:

Article I.

The High Contracting Parties agree that for a period of ten years, beginning with the date of the exchange of the ratifications of this Convention, the coming, except under the conditions hereinafter specified, of Chinese laborers to the United States shall be absolutely prohibited.

Article II.

The preceding Article shall not apply to the return to the United States of any registered Chinese laborer who has a lawful wife, child, or parent in the United States, or property therein of the value of one thousand dollars, or debts of like amount due him and pending settlement. Nevertheless every such Chinese laborer shall, before leaving the United States, deposit, as a condition of his return, with the collector of customs of the district from which he departs, a full description in writing of his family, or property, or debts, as aforesaid, and shall be furnished by said collector with such certificate of his right to return under this Treaty as the laws of the United States may now or hereafter prescribe and not inconsistent with the provisions of this Treaty; and should the written description aforesaid be proved to be false, the right of return thereunder, or of continued residence after return, shall in each case be forfeited. And such right of return to the United States shall be exercised within one year from the date of leaving the United States; but such right of return to the United States may be extended for an additional period, not to exceed one year, in cases where by reason of sickness or other cause of disability beyond his control, such Chinese laborer shall be rendered unable sooner to return—which facts shall be fully reported to the Chinese consul at the port of departure, and by him certified, to the satisfaction of the collector of the port at which such Chinese subject shall land in the United States. And no such Chinese laborer shall be permitted to enter the United States by land or sea without producing to the proper officer of the customs the return certificate herein required.

Article III.

The provisions of this Convention shall not affect the right at present enjoyed of Chinese subjects, being officials, teachers, students, merchants or travellers for curiosity or pleasure, but not laborers, of coming to the United States and residing therein. To entitle such Chinese subjects as are above described to admission into the United States, they may produce a certificate from their Government or the Government where they last resided vised by the diplomatic or consular representative of the United States in the country or port whence they depart. || It is also agreed that Chinese laborers shall cotinue to enjoy the privilege of transit across the territory of the United States in the course of their journey to or from other countries, subject to such regulations by the Government of the United States as may be necessary to prevent said privilege of transit from being abused.

Article IV.

In pursuance of Article III of the Immigration Treaty between the United States and China, signed at Peking on the 17th day of November, 1880, (the 16th day of the tenth month of Kwanghsü, sixth year) it is hereby understood and agreed that Chinese laborers or Chinese of any other class, either permanently or temporarily residing in the United States, shall have for the protection of their persons and property all rights that are given by the laws of the United States to citizens of the most favored nation, excepting the right to become naturalized citizens. And the Government of the United States reaffirms its obligation, as stated in said Article III, to exert all its power to secure protection to the persons and property of all Chinese subjects in the United States.

Article V.

The Government of the United States, having by an Act of the Congress, approved May 5, 1892, as amended by an Act approved November 3, 1893, required all Chinese laborers lawfully within the limits of the United States before the passage of the first named Act to be registered as in said Acts provided, with a view of affording them better protection, the Chinese Government will not object to the enforcement of such acts, and reciprocally the Government of the United States recognizes the right of the Government of China to enact and enforce similar laws or regulations for the registration, free of charge, of all laborers, skilled or unskilled, (not merchants as defined by said Acts of Congress), citizens of the United States in China, whether residing within or without the treaty ports. || And the Government of the United States agrees that within twelve months from the date of the exchange of the ratifications of this Convention, and annually, thereafter, it will furnish to the Government of China registers or reports showing the full name, age, occupation and number or place of residence of all other citizens of the United States, including missionaries, residing both within and without the

Nr. 11090. Vereinigte Staaten von Amerika und China. 17. März 1894.

treaty ports of China, not including, however, diplomatic and other officers of the United States residing or travelling in China upon officials business, together with their body and household servants.

Article VI.

This Convention shall remain in force for a period of ten years beginning with the date of the exchange of ratifications, and, if six months before the expiration of the said period of ten years, neither Government shall have formally given notice of its final termination to the other, it shall remain in full force for another like period of ten years. || In fait whereof, we, the respective plenipotentiaries, have signed this Convention and have hereunto affixed our seals.

Done, in duplicate, at Washington, the 17th day of March, A. D. 1894.

Walter Q. Gresham. (Seal.)
(Chinese Signature.) (Seal.)

Nr. 11091. RUSSLAND und GROSSBRITANNIEN. — Abkommen über einen modus vivendi betreffend den Robbenfang im Behringsmeere.

Washington, 22. April / 4. Mai 1894.

Nr. 11091. Russland und Grossbritannien. 22. April / 4. Mai 1894.

Afin d'éviter toutes contentiones et controverses au sujet de la pêche des phoques à fourrure dans les eaux de la mer de Bering et de l'Ocean Pacifique du Nord, et pour aider à la préservation de l'espèce, le Gouvernement des États-Unis et le Gouvernement Impérial de Russie ont conclu l'arrangement provisoire suivant, sans la réserve qu'à aucun titre il ne puisse servir de précédent, et que les parties contractantes conservent leur entière liberté dans l'avenir quant aux choix des moyens qu'elles jugeront le plus propres à la préservation des phoques à fourrure, soit au moyen de zônes prohibées, soit au moyen de l'interdiction complete de la chasse pélagique du phoque ou de sa règlementation en pleine mer.

1. Le Gouvernement des États-Unis défendra aux citoyens des États-Unis de chasser le phoque à fourrure dans une zône de dix milles maritimes le long de la côte russe de la mer Bering et de l'Ocean Pacifique du Nord, ainsi que dans une zône de trente milles maritimes au tour des Isles Kommandorsky (Commander Islands) et de l'ile Tulienew (Robben Island), et prendra sans retard les mesures necessaires pour faire respecter cette interdiction par les citoyens et les navires des États-Unis.

2. Les navires appartenant aux États-Unis se livrant à la chasse aux phoques à fourrure dans les zônes susmentionnées en dehors des eaux territoriales de la Russie, pourront être saisis et détenus par les officiers russes de la marine ou tout autre officier dûment autorisés à cet effêt, mais ils devront être remis aussitôt que faire se pourra, aux officiers de la marine

fédérale ou à tout autre officier autorisé à cet effet ou aux autorités des États-Unis, le plus proches. En cas d'empêchement ou de difficulté, le Commandant du croiseur russe pourra se borner à saisir les papiers de bord des navires en contravention afin de les remettre à un officier de la marine ou a tout autre officier autorisé à cet effet des États-Unis, ou pour les transmettre le plus tôt possible aux autorités des États-Unis les plus proches.

3. Le Gouvernement des États-Unis s'engange à faire juger par les tribunaux ordinaires et offrant toutes les garanties necessaires, les navires des États-Unis arrêtés ou ceux dont les papiers de bord seraient saisis de la manière prescrite dans le present arrangement, comme s'étant livrés à la chasse aux phoques à fourrure dans la zône prohibée en dehors des eaux territoriales Russes.

4. Le Gouvernement Impérial limitera à trente mille le nombre des phoques à fourrure qui pourront être tués pendant l'annés 1894 sur les côtes des iles Kommandorsky et Tulienew (Commander and Robben's Islands).

5. L'arrangement actuel n'aura pas de force retrospective quant à la saisie de navires des États-Unis employés à la chasse aux phoques, par les officiers de la marine ou par tout autre officier russe antérieurement à la conclusion du présent arrangement.

6. Le présent arrangement n'étant qu'un expédient essentiellement provisoire, pourra être terminé par l'une ou l'autre des deux parties en le dénonçant. ‖ En foi de quoi nous Walter Q. Gresham, Secrétaire d'État des États-Unis, et Prince Grégoire Cantacuzène, envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté l'Empereur de toutes les Russies près les États-Unis, avons, au nom de nos Gouvernements respectifs, signés le présent arrangement en duplicata dans les langues anglaise et française, et y avons apposé nos sceaux, à Washington ce $\frac{4. \text{ Mai}}{22. \text{ Avril}}$ 1894.

Walter Q. Gresham. (Seal.)
Prince Cantacuzene. (Seal.)

Nr. 11092. VEREINIGTE STAATEN von AMERIKA und JAPAN. — Handels- und Schifffahrtsvertrag.

Washington, 22. November 1894.
(Austausch der Ratifikationen 21. März 1895.)

The President of the United States of America and His Majesty the Emperor of Japan, being equally desirous of maintaining the relations of good understanding which happily exist between them, by extending and increasing the intercourse between their respective States, and being convinced that this object cannot better be accomplished than by revising the Treaties hitherto existing between the two countries, have resolved to complete such a revision, based upon principles of equity and mutual benefit, and, for that purpose, have named as their Plenipotentiaries, that is to say: ‖ The President of the

Nr. 11092 Vereinigte Staaten von Amerika und Japan. 22. Nov. 1894.

United States of America, Walter Q. Gresham, Secretary of State of the United States, and His Majesty the Emperor of Japan, Jushii Shinichiro Kurino, of the Order of the Sacred Treasure, and of the Fourth Class; who, after having communicated to each other their full powers, found to be in good and due form, have agreed upon and concluded the following Articles: —

Article I.

The citizens or subjects of each of the two High Contracting Parties shall have full liberty to enter, travel, or reside in any part of the territories of the other Contracting Party, and shall enjoy full and perfect protection for their persons and property. || They shall have free access to the Courts of Justice in pursuit and defence of their rights; they shall be at liberty equally with native citizens or subjects to choose and employ lawyers, advocates and respresentatives to pursue and defend their rights before such Courts, and in all other matters connected with the administration of justice they shall envoy all the rights and privileges enjoyed by native citizens or subjects. || In whatever relates to rights of residence and travel: to the possession of goods and effects of any kind; to the succession to personal estate, by will or otherwise, and the disposal of property of any sort and in any manner whatsoever which they may lawfully aequire, the citizens or subjects of each Contracting Party shall enjoy in the territories of the other the same privileges, liberties, and rights and shall be subject to no higher imposts or charges in these respects than native citizens or subjects, or citizens or subjects of the most favored nation. The citizens or subjects of each of the Contracting Parties shall enjoy in the territories of the other entire liberty of conscience, and, subject to the laws, ordinances, and regulations, shall enjoy the right of private or public exercise of their worship, and also the right of burying their respective countrymen, according to their religious customs, in such suitable and convenient places as may be established and maintained for that purpose. || They shall not be compelled, under any pretext whatsoever, to pay any charges or taxes other or higher than those that are, or may be paid by native citizens or subjects, or citizens or subjects of the most favored nation. || The citizens or subjects of either of the Contracting Parties residing in the territories of the other shall be exempted from all compulsory military service whatsoever, whether in the army, navy, national guard, or militia; from all contributions imposed in lieu of personal service; and from all forced loans or military exactions or contributions.

Article II.

There shall be reciprocal freedom of commerce and navigation between the territories of the two High Contracting Parties. || The citizens or subjects of each of the High Contracting Parties may trade in any part of the territories of the other by wholesale or retail in all kinds of produce, manufac-

tures, and merchandize of lawfull commerce, either in person or by agents, singly or in partnership with foreigners or native citizens or subjects; and they may there own or hire and occupy houses, manufactories, warehouses, shops and premises which may be necessary for them, and lease land for residential and commercial purposes, conforming themselves to the laws, police and customs regulations of the country like native citizens or subjects. || They shall have liberty freely to come with their ships and cargoes to all places, ports, and rivers in the territories of the other, which are or may be opened to foreign commerce, and shall enjoy, respectively, the same treatment in matters of commerce and navigation as native citizens or subjects, or citizens or subjects of the most favored nation, without having to pay taxes, imposts or duties, of whatever nature or under whatever denomination levied in the name or for the profit of the Government, public functionaries, private individuals, corporations, or establishments of any kind, other or greater than those paid by native citizens or subjects, or citizens or subjects of the most favored nation. || It is, however, understood that the stipulations contained in this and the preceding Article do not in any way affect the laws, ordinances and regulations with regard to trade, the immigration of laborers, police and public security which are in force or which may hereafter be enacted in either of the two countries.

Article III.

The dwellings, manufactories, warehouses, and shops of the citizens or subjects of each of the High Contracting Parties in the territories of the other, and all premises appertaining thereto destined for purposes of residence or commerce, shall be respected. || It shall not be allowable to proceed to make a search of, or a domiciliary visit to, such dwellings and premises, or to examine or inspect books, papers, or accounts, except under the conditions and with the forms prescribed by the laws, ordinances and regulations for citizens or subjects of the country.

Article IV.

No other or higher duties shall be imposed on the importation into the territories of the United States of any article, the produce or manufacture of the territories of His Majesty the Emperor of Japan, from whatever place arriving; and no other or higher duties shall be imposed on the importation into the territories of His Majesty the Emperor of Japan of any article, the produce or manufacture of the territories of the United States, from whatever place arriving, than on the like article produced or manufactured in any other foreign country; nor shall any prohibition be maintained or imposed on the importation of any article, the produce or manufacture of the territories of either of the High Contracting Parties, into the territories of the other, from whatever place arriving, which shall not equally extend to the importation of the like article, being the produce or manufacture of any other country. This

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last provision is not applicable to the sanitary and other prohibitions occasioned by the necessity of protecting the safety of persons, or of cattle, or of plants useful to agriculture.

Article V.

No other or higher duties or charges shall be imposed in the territories of either of the High Contracting Parties on the expórtation of any article to the territories of the other than such as are, or may be, payable on the exportation of the like article to any other foreign country; nor shall any prohibition be imposed on the exportation of any article from the territories of either of the two High Contracting Parties to the territories of the other which shall not equally extend to the exportation of the like article to any other country.

Article VI.

The citizens or subjects of each of the High Contracting Parties shall enjoy in the territories of the other exemption from all transit duties, and a perfect equality of treatment with native citizens or subjects in all that relates to warehousing, bounties, facilities, and drawbacks.

Article VII.

All articles which are or may be legally imported into the ports of the territories of His Majesty the Emperor of Japan in Japanese vessels may likewise be imported into those ports in vessels of the United States, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in Japanese vessels; and, reciprocally, all articles which are or may be legally imported into the ports of the territories of the United States in vessels of the United States may likewise be imported into those ports in Japanese vessels, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in vessels of the United States. Such reciprocal equality of treatment shall take effect without distinction, whether such articles come directly from the place of origin or from any other place. || In the same manner, there shall be perfect equality of treatment in regard to exportation, so that the same export duties shall be paid, and the same bounties and drawbacks allowed, in the territories of either of the High Contracting Parties on the exportation of any article which is or may be legally exported therefrom, whether such exportation shall take place in Japanese vessels or in vessels of the United States, and whatever may be the place of destination, whether a port of either of the High Contracting Parties or of any third Power.

Article VIII.

No duties of tonnage, harbor, pilotage, lighthouse, quarantine, or other similar or corresponding duties of whatever nature, or under whatever denomination levied in the name or for the profit of Government, public functionaries,

private individuals, corporations, or establishments of any kind, shall be imposed in the ports of the territories of either country upon the vessels of the other country which shall not equally and under the same conditions be imposed in the like cases on national vessels in general or vessels of the most favored nation. Such equality of treatment shall apply reciprocally to the respective vessels, from whatever port or place they may arrive, and whatever may be their place of destination.

Article IX.

In all that regards the stationing, loading, and unloading of vessels in the ports, basins, docks, roadsteads, harbors or rivers of the territories of the two countries, no privilege shall be granted to national vessels which shall not be equally granted to vessels of the other country; the intention of the High Contracting Parties being that in this respect also the respective vessels shall be treated on the footing of perfect equality.

Article X.

The coasting trade of both the High Contracting Parties is excepted from the provisions of the present Treaty, and shall be regulated according to the laws, ordinances and regulations of the United States and Japan, respectively. It is, however, understood that citizens of the United States in the territories of His Majesty the Emperor of Japan and Japanese subjects in the territories of the United States, shall enjoy in this respect the rights which are, or may be, granted under such laws, ordinances and regulations to the citizens or subjects of any other country. || A vessel of the United States laden in a foreign country with cargo destined for two or more ports in the territories of His Majesty the Emperor of Japan, and a Japanese vessel laden in a foreign country with cargo destined for two or more ports in the territories of the United States, may discharge a portion of her cargo at one port, and continue her voyage to the other port or ports of destination where foreign trade is permitted, for the purpose of landing the remainder of her original cargo there, subject always to the laws and customs regulations of the two countries. || The Japanese Government, however, agrees to allow vessels of the United States to continue, as heretofore, for the period of the duration of the present Treaty, to carry cargo between the existing open ports of the Empire, excepting to or from the ports of Osaka, Niigata, and Ebisuminato.

Article XI.

Any ship-of-war or merchant vessel of either of the High Contracting Parties which may be compelled by stress of weather, or by reason of any other distress, to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary supplies, and to put to sea again,

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without paying any dues other than such as would be payable by national vessels. In case, however, the master of a merchant vessel should be under the necessity of disposing of a part of his cargo in order to defray the expenses, he shall be bound to conform to the regulations and tariffs of the place to which he may have come. || If any ship-of-war or merchant-vessel of one of the High Contracting Parties should run aground or be wrecked upon the coasts of the other, the local authorities shall inform the Consul General, Consul, Vice-Consul, or Consular Agent of the district, of the occurrence, or if there be no such Consular officers, they shall inform the Consul General, Consul, Vize-Consul, or Consular Agent of the nearest district. || All proceedings relative to the salvage of Japanese vessels, wrecked or cast on shore in the territorial waters of the United States, shall take place in accordance with the laws of the United States, and, reciprocally, all measures of salvage relative to vessels of the United States, wrecked or cast on shore in the territorial waters of His Majesty the Emperor of Japan, shall take place in accordance with the laws, ordinances, and regulations of Japan. || Such stranded or wrecked ship or vessel, and all parts thereof, and all furnitures and appurtenances belonging thereunto, and all goods and merchandize saved therefrom, including those which may have been cast into the sea, or the proceeds thereof, if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners or their agents, when claimed by them. If such owners or agents are not on the spot, the same shall be delivered to the respective Consuls General, Consuls, Vice-Consuls, or Consular Agents upon being claimed by them within the period fixed by the laws, ordinances and regulations of the country, and such Consular officers, owners, or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other enpenses which would have been payable in the case of the wreck of a national vessel. || The goods and merchandize saved from the wreck shall be exempt from all the duties of the Customs unless cleared for consumption, in which case they shall pay the ordinary duties. || When a vessel belonging to the citizens or subjects of one of the High Contracting Parties is stranded or wrecked in the territories of the other, the respective Consuls General, Consuls, Vice-Consuls, and Consular Agents shall be authorized, in case the owner or master, or other agent of the owner, is not present, to lend their official assistance in order to afford the necessary assistance to the citizens or subjects of the respective States. The same rule shall apply in case the owner, master, or other agents is present, but requires such assistance to be given.

Article XII.

All vessels which, according to United States law, are to be deemed vessels of the United States, and all vessels which, according to Japanese law, are to be deemed Japanese vessels, shall, for the purposes of this

Treaty, be deemed vessels of the United States and Japanese vessels, respectively.

Article XIII.

The Consuls General, Consuls, Vice-Consuls, and Consular Agents of each of the High Contracting Parties, residing in the territories of the other, shall receive from the local authorities such assistance as can by law be given to them for the recovery of deserters from the vessels of their respective countries. || It is understood that this stipulation shall not apply to the citizens or subjects of the country where the desertion takes place.

Article XIV.

The High Contracting Parties agree that, in all that concerns commerce and navigation, any privilige, favor or immunity which either High Contracting Party has actually granted, or may hereafter grant, to the Government, ships, citizens, or subjects of any other State, shal be extended to the Government ships, citizens, or subjects of the other High Contracting Party, gratuitously, if the concessionin favor of that other State shall have been gratuitous, and on the same or equivalent conditions if the concession shall have been conditional; it being their intention that the trade and navigation of each country shall be placed, in all respects, by the other upon the footing of the most favored nation.

Article XV.

Each of the High Contracting Parties may appoint Consuls General, Consuls, Vice-Consuls, Pro-Consuls, and Consular Agents, in all the ports, cities, and places of the other, except in those where it may not be convenient to recognize such officers. || This exception, however, shall not be made in regard to one of the High Contracting Parties without being made likewise in regard to every other Power. || The Consuls General, Consuls, Vice-Consuls, Pro-Consuls, and Consular Agents may exercise all functions, and shall enjoy all privileges, exemptions, and immunities which are, or may hereafter be, granted to Consular officers of the most favored nation.

Article XVI.

The citizens or subjects of each of the High Contracting Parties shall enjoy in the territories of the other the same protection as native citizens or subjects in regard to patents, trademarks and designs, upon fulfilment of the formalities prescribed by law.

Article XVII.

The High Contracting Parties agree to the following arrangement: — || The several Foreign Settlements in Japan shall, from the date this Treaty comes into force, be incorporated with the respective Japanese Communes, and shall thenceforth form part of the general municipal system of Japan. The competent Japanese Authorities shall there-upon assume all municipal obligations and duties in respect thereof, and the common funds and property,

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if any, belonging to such Settlements shall at the same time be transferred to the said Japanese Authorities. || When such incorporation takes place existing leases in perpetuity upon which property is now held in the said Settlements shall be confirmed, and no conditions whatsoever other than those contained in such existing leases shall be imposed in respect of such property. It is, however, understood that the Consular Authorities mentioned in the same are in all cases to be replaced by the Japanese Authorities. All lands which may previously have been granted by the Japanese Government free of rent for the public purposes of the said Settlements shall, subject to the right of eminent domain, be permanently reserved free of all taxes and charges for the public purposes for which they were originally set apart.

Article XVIII.

This Treaty shall, from the date it comes into force, be substituted in place of the Treaty of Peace and Amity concluded on the 3d day of the 3d month of the 7th year of Kayei, corresponding to the 31st day of March, 1854; the Treaty of Amity and Commerce concluded on the 19th day of the 6th month of the 5th year of Ansei, corresponding to the 29th day of July, 1858; the Tariff Convention concluded on the 13th day of the 5th month of the 2nd year of Keio, corresponding to the 25th day of June, 1866; the Convention concluded on the 25th day of the 7th month of the 11th year of Meiji, corresponding to the 25th day of July, 1878, and all Arrangements and Agreements subsidiary thereto concluded or existing between the High Contracting 'Parties; and from the same date such Treaties, Conventions, Arrangements and Agreements shall cease to be binding, and, in consequence, the jurisdiction then exercised by Courts of the United States in Japan and all the exceptional privileges, exemptions and immunities then enjoyed by citizens of the United States as a part of, or appurtenant to such jurisdiction, shall absolutely and without notice cease and determine, and thereafter all such jurisdiction shall be assumed and exercised by Japanese Courts.

Article XIX.

This Treaty shall go into operation on the 17th day of July, 1899, and shall remain in force for the period of twelve years from that date. || Either High Contracting Party shall have the right, at any time thereafter to give notice to the other of its intention to terminate the same, and at the expiration of twelve months after such notice is given this Treaty shall wholly cease and determine.

Article XX.

This Treaty shall be ratified, and the ratifications thereof shall be exchanged, either at Washington or Tokio, as soon as possible and not later than six months after its signature. || In witness whereof the respective Plenipotentiaries have signed the present Treaty in duplicate and have thereunto affixed their seals.

Done at the City of Washington the 22d day of November, in the eighteen hundred and ninety-fourth year of the Christian era, corresponding to the 22d day of the 11th month of the 27th year of Meiji.

Walter Q. Gresham. (Seal.)
Shinichiro Kurino. (Seal.)

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Nr. 11093. **VEREINIGTE STAATEN** und **JAPAN.** — Zusatzprotokoll zum Handelsvertrag.

Washington, 22. November 1894.

Protocol.

Nr. 11093. Vereinigte Staaten von Amerika und Japan. 22. Nov. 1894.

The Government of the United States of America and the Government of His Majesty the Emperor of Japan, deeming it advisable in the interests of both countries to regulate certain special matters of mutual concern, apart from the Treaty of Commerce and Navigation signed this day, have, through their respective Plenipotentiaries, agreed upon the following stipulations: —

I. It is agreed by the Contracting Parties that one month after the exchange of the ratifications of the Treaty of Commerce and Navigation signed this day the Import Tariff now in operation in Japan in respect of goods and merchandise imported into Japan by citizens of the United States shall cease to be binding. From the same date the General Statutory Tariff of Japan shall, subject to the provisions of Article IX of the Treaty of March 31, 1854, at present subsisting between the Contracting Parties, so long as said Treaty remains in force, and, thereafter, subject to the provisions of Article IV and Article XIV of the Treaty signed this day, be applicable to goods and merchandise being the growth, produce or manufacture of the Territories of the United States upon importation into Japan. || But nothing contained in this Protocol shall be held to limit or qualify the right of the Japanese Government to restrict or to prohibit the importation of adulterated drugs, medicines, food or beverages; indecent or obscene prints, paintings, books, cards, lithographic or other engravings, photographs or any other indecent or obscene articles; articles in violation of the patent, trade-mark or copy-right laws of Japan; or any other article which for sanitary reasons, or in view of public security or morals, might offer any danger.

2. The Japanese Government, pending the opening of the country to citizens of the United States, agrees to extend the existing passport system in such a manner as to allow citizens of the United States, on the production of a certificate of recommendation from the Representative of the United States at Tokio, or from any of the Consuls of the United States at the open ports of Japan, to obtain upon application passports available for any part of the country and for any period not exceeding twelve months, from the Imperial Japanese Foreign Office in Tokio, or from the Chief Authorities in the Prefecture in which an open port is situated, it being understood that

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the existing Rules and Regulations governing citizens of the United States who visit the interior of the Empire are to be maintained.

3. The undersigned Plenipotentiaries have agreed that this Protocol shall be submitted to the two High Contracting Parties at the same time as the Treaty of Commerce and Navigation signed this day, and that when the said Treaty is ratified the agreements contained in the Protocol shall also equally be considered as approved, without the necessity of a further formal ratification. || It is agreed that this Protocol shall terminate at the same time the said Treaty ceases to be binding. || In witness whereof the respective Plenipotentiaries have signed the same and have affixed thereto their seals. || Done at Washington the 22d day of November in the eighteen hundred and ninety-fourth year of the Christian era, corresponding to the 22d day of the 11th month of the 27th year of Meiji.

Walter Q. Gresham. (Seal.)
Shinichiro Kurino. (Seal.)

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